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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

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3 JUN 1942

16 Complaints In Arbitration Filed in Sept.

Total Number for Eight Months Is 123

No increase in the average monthly number of arbitration complaints was recorded during September, despite the fact that it was the first full month that all abitration provisions of the consent decree were in effect.

During the month 16 new complaints were filed, exactly maintaining the monthly average for the previous seven months that the arbitration system has been in operation. The

(*Continued on page 2*)

Ministry to Aid Film Fight for Manpower

LONDON, Sept. 30. — Brendan Bracken, Minister of Information, has agreed to help the film industry in its fight to prevent the call to military service of technicians in numbers which, according to trade protests, would seriously affect the industry. Bracken has asked British and American producers to outline by Thursday production plans for the next year.

The Association of Cine Technicians has charged the Government with the intention of "wrecking" the industry as a result of the latest call of technicians for service. The organization's statement says only 450 technicians are to be left, and the calling of laboratory technicians will interfere also with the processing of American films.

Stress British Need Of Production Plan

The need of a planned schedule of British production is stressed in a survey of the industry's situation in the war, in the report of the Cinematograph Films Council for the year ended March 31, last.

The report blames the present condition on two chief factors, lack of financing and lack of coordination between Government departments interested in films. The report recommends the Government proceed with plans to preserve an industry nucleus. A record number of 12 distributor defaults on quota and 316 exhibitor defaults were noted for the quota year.

Coast Variety Club Officers Inducted; Skouras Is Head

LOS ANGELES, Sept. 30.—Charles P. Skouras, Fox West Coast head and Chief Barker of Tent 25 of the Variety Club, pledged the new club to a program of charity and fraternity in consonance with the importance of the production community in the affairs of show business, at the induction of officers at the Ambassador Hotel last night.



Charles Skouras

The induction took place in the presence of 200 members and 175 guests, including studio executives, guild officers, production talent and the press, John H. Harris, Jr., of Pittsburgh, Variety Club founder, presented the charter

(*Continued on page 3*)

Mohme Quits Mexico Post with 20th-Fox

Gustav Mohme, manager in Mexico City for 20th Century-Fox for the past eight years, has resigned, Walter J. Hutchinson, foreign head, announced yesterday. No successor has been named as yet. The resignation, due to ill health, will take effect in a few weeks. Mohme formerly was manager for Columbia in Chile, going to the 20th Century-Fox post in 1933.

RKO Cancels Fight Film Distribution

Films of the Louis-Nova championship bout at the Polo Grounds Monday night will not be released by RKO as planned, it was announced yesterday. It was said that the coverage "did not contain sufficient pictorial ring action to measure up to the high standard of fight films heretofore released."

Demands of Studio Unions Presented; Answers Thursday

Cameramen and sound technicians' locals presented their demands to producers' labor representatives here yesterday, completing the submission of demands by the I.A.T.S.E. studio locals.

No meeting is scheduled for today because of the Jewish holiday but the negotiations will be resumed tomorrow at the office of Pat Casey, producers' labor representative, at which time the producers' response to the demands of some of the locals will be given.

Steve Newman and Carl Cooper, I. A. West Coast representatives, are sitting in on the negotiations in advisory capacities. Their presence, along with that of the business representatives of the locals, does not signify relinquishment of local autonomy by the studio unions nor does it presage in any way the re-entry of the I. A. into the studio basic agreement, it was said.

Who Cares About Grosses With 'Dem Bums' in Series

By EDWARD GREIF

"Oh, the outlook wasn't brilliant for the Brooklyn grosses that day. . . ."

Are the Brooklyn theatre managers downhearted? No! They're looking forward to being able to listen to broadcasts of the World Series in the peace and quiet of their offices, today and for the rest of the week. The projectionists will have little portable radios in their booths and the electricians and ushers will be gathered in little knots listening to some more of the same. The kids who will pay their way into the theatre will also be carrying their portables and listening to the games while watching the picture just as they have been doing for the past month of the hectic National League race.

Circuit operators have passed the word along to managers to take it easy on celebrants if Brooklyn wins. (Voice from the balcony: "Whaddya mean 'if' Brooklyn wins?"). Instructions are to quiet the celebrants, if possible, and keep them from ripping up the chairs.

Scores will be announced in almost every Brooklyn house between features. Of course, if Pete Reiser puts

(*Continued on page 3*)

Allied Units Ratify Joint Industry Plan

Majority Back Proposal Convention Rejected

WASHINGTON, Sept. 30.—A majority of Allied regional units have ratified the resolution for a national joint committee designed to promote all-industry relations, national headquarters of Allied States Association announced here today.

The resolution was unexpectedly rejected at the exhibitor organization convention in Philadelphia recently, by the delegates present, and the officers resigned as a result. The directorate determined on a referendum of affiliated units, and the officers' resignations were held in abeyance pending the result, which is now announced.

The regional associations which ratified the resolution are listed by the national body as follows: Allied Theatre Owners of New Jersey, MPTO of Maryland, Allied Theatre Owners of Illinois, Allied MPTO of Western

(*Continued on page 3*)

St. Louis Bill Would Tax Theatre Gross

ST. LOUIS, Sept. 30.—A bill providing for a one per cent tax on gross receipts of nearly 90 theatres in St. Louis, expected to yield about $1,100 a week, has been introduced in the Board of Aldermen.

Fred Wehrenberg, head of the MPTOA here, immediately announced a campaign to defeat the measure would be launched, pointing out a similar campaign was successful several years ago when a two per cent tax was proposed. At present all theatres in the city pay a flat $150 fee a year.

Morton Now Heads Television at NBC

In a shakeup at the NBC television setup, Thomas H. Hutchinson, production manager, has left the station and Alfred H. Morton, vice-president in charge of television, has assumed active supervision of programs with Warren Wade named executive producer. Arthur H. Hungerford, who has been in charge of purchase of motion picture films, has been promoted to business manager.

16 Complaints In Arbitration Filed in Sept.

(*Continued from page 1*)

total number of complaints for the eight months is 123.

Three arbitration boards still have had no complaints filed. They are Des Moines, Seattle and Indianapolis. New York continues to lead in number of complaints with 22, and Philadelphia is second with 13. Other boards have from one to eight complaints each, although eight boards, other than the three in which no complaints have been filed, have no cases on their dockets due to the fact that those filed have been disposed of by awards or settlements. The eight boards with no cases on their dockets are: Salt Lake City, New Orleans, Minneapolis, Milwaukee, Denver, Cleveland, Albany and Oklahoma City.

Of the 28 boards in which cases have been filed 16 of them have had not more than three complaints filed in their eight months of operation. The Cleveland board has had but one complaint and that was filed last February. Oklahoma City and Albany have had but one complaint each and none filed since March. Salt Lake City has had but one complaint and none filed since May. Omaha has one case of record.

Few Complaints Filed

Milwaukee has had two cases, none since last March, while Atlanta, Charlotte, Memphis and Portland have had but two complaints during eight months. Stations which have had only three complaints in the eight-month period are Cincinnati, with none since May; Denver and Pittsburgh with none since April; New Orleans and Minneapolis, with none since March, and Kansas City.

Of the 123 complaints filed to date, 74 have been disposed of, 46 by arbitrators' awards and 28 by withdrawal, the latter for the most part represent settlements which were accepted by the complainants. Of the 46 decisions, 22 were in favor of distributor respondents and 18 were in favor of exhibitor complainants. Six awards were "split" decisions.

Clearance Complaint Is Filed in Philadelphia

PHILADELPHIA, Sept. 30.—A clearance complaint was filed against all five consenting companies at the local arbitration board today by Columbus Stamper on behalf of his Rivoli Theatre. The complaint seeks an award granting the Rivoli the right to play no later than 28 days after first run in the West Philadelphia section and availability of seven days after Warners Commodore and/or first run in the Baltimore Ave. zone.

W. B. Dropped from Clearance Complaint

PHILADELPHIA, Sept. 30.—Warners has been dropped as a respondent in the clearance complaint of A. M. Ellis' Broad Theatre here. Warners' counsel successfully argued that under Section 16 of the consent decree a distributor may sell to its affiliated theatres at its own terms, and that Warners, therefore, were not properly involved in the case.

Personal Mention

DARRYL ZANUCK, 20th Century-Fox production chief, left here for Washington yesterday and will leave there for the Coast by plane today.

•

HERBERT J. YATES, president of Consolidated Film Industries, left for the Coast by plane yesterday.

•

ALEXANDER W. WEISSMAN, Buffalo branch manager for M-G-M, has a birthday today.

•

CHARLES REED JONES, advertising and publicity director for Republic, expects to return to his office Monday after an absence due to injuries sustained in an automobile accident last week.

•

HERBERT HILLMAN, student assistant at the College Theatre, New Haven, was given a farewell dinner before joining the Army.

•

JOSEPH BURKE, 20th Century-Fox traveling auditor, is in New Haven for a few weeks.

•

J. LESTER STALLMAN, managing director of the H. J. Schad Theatres in Reading, Pa., is recuperating from an appendicitis operation.

•

FRANK DURKEE, circuit operator of Baltimore, plans a Mexican tour. He has been reappointed president of the Baltimore Park Board.

•

LEON ZELLER, managing director of the Rex, Roxy and Times Theatres in Baltimore, is taking his vacation in fishing trips.

WILLIAM F. RODGERS, M-G-M vice-president in charge of sales, has arrived on the Coast for his annual Fall studio visit.

•

FRED LANGE, of the Paramount foreign department, is leaving by plane Friday for Guatemala, on a Latin American survey.

•

SOL M. WURTZEL, executive producer for 20th Century-Fox, and WILLIAM GOETZ, vice-president, are due in from the Coast today.

•

GUY COLLIER, manager of the Old Trail, neighborhood house in Indianapolis, is spending two weeks in Hollywood.

•

CECELIA HUGHES, secretary at the Universal Indianapolis exchange, was given a luncheon before her transfer to the home office.

•

ANGELO SCAVO, owner of the Home Theatre, Old Forge, Pa., and HELEN O'BOYLE were married in Scranton recently.

•

WILLIAM SHARP of the Capitol in Wilkes-Barre, Pa., has been reelected second vice-president of the International Alliance of Billposters.

•

GENE VOGEL, M-G-M salesman in Albany, won the city finals there of the annual left-handers golf tournament at the Municipal Country Club.

•

E. S. SEELEY, Altec Service engineer, has been granted a leave of absence to do research in submarine detection for the National Defense Laboratories.

Odeon Heads Meet On Circuit's Policy

TORONTO, Sept. 30.—Circuit officials of Odeon Theatres of Canada, Ltd., attended important weekend conferences here prior to an official declaration, it is understood, with regard to the policy of the new circuit. Executive representatives of the Nathanson group in both Eastern and Western Canada were present for the discussions.

Those from Western Canada were H. Friedman, veteran theatre owner of Edmonton, Alberta, and his general manager, J. Lieberman, and J. B. Barron, a theatre owner of Calgary. The Maritime Provinces were represented by Fred. W. Winter, owner of the Capitol and Empress Theatres, Moncton, N. B.

Pioneers Dinner Oct. 29

Marvin Schenck has been named chairman of the entertainment committe in charge of arrangements for the Picture Pioneers Fall dinner at Toots Shor's restaurant, Oct. 29. Other members of the committee are: Leon Bamberger, G. B. Odlum, Lawrence Beatus, Sam Dembow and Leon Netter.

Gene Zukor to Navy

HOLLYWOOD, Sept. 30. — Eugene Zukor, Paramount associate producer, today was ordered to report for active duty with the U. S. Navy as a lieutenant commander. He left for the East tonight to visit his parents before joining the naval force.

Approve Cincinnati Plan for Music Hall

CINCINNATI, Sept. 30.—U. S. District Judge John H. Druffel has approved the reorganization plan of the Cincinnati Music Hall Association, debtor in bankruptcy proceedings, and the city now will purchase the property at $222,250, which will enable the trustees to pay the bondholders 31.47 cents on the dollar.

The Music Hall, with an auditorium seating 3,500, is used for various forms of entertainment, including occasional showing of pictures.

Many to Appear at FCC Hearing Oct. 6

WASHINGTON, Sept. 30.—A large number of interests have advised the FCC of their intention of appearing at hearings opening Oct. 6 on multiple ownership of broadcasting stations. Chairman James L. Fly expressed the opinion that the hearing should not require more than one day, but the list later issued by the commission indicated that a longer time would be required.

Close Troy Houses To Young Children

TROY, N. Y., Sept. 30.—Exhibitors throughout the city closed their doors to children under 12 this week. The move came after a weekend suggestion by the health commissioner that children be banned from places of public amusement during the present infantile paralysis epidemic.

Newsreel Parade

ASSORTED war and defense subjects in the midweek issues include Britain's shipment of tanks to Russia, launching of several merchant ships here and a new giant bomber in Baltimore. The reels and their contents follow:

MOVIETONE NEWS, NO. 7.—launching of ships here. King George with armored units in England. New bomber in England. King Peter of Yugoslavia has birthday party in England. R.A.F. rescue floats in English Channel. Windsors in Washington. Women's defense corps in Gloucester. New bomber in Baltimore. Dodger parade in Brooklyn. Foothall.

NEWS OF THE DAY, NO. 205—Hurricane hits Texas. Tanks for Russia in England. Nazi plane downed in Russia. Windsors in Washington. Merchant ships launched. Stamford-Oregon football. Racing at Belmont. Parade in Brooklyn.

PARAMOUNT NEWS, NO. 10.—Merchant ship launchings. Windsors here. Russian and British troops in Iran. Averell Harriman and Lord Beaverbrook in London. London factories produce tanks for Russia. Michigan-Michigan State football. Camera analysis of Joe Louis. Dodger parade in Brooklyn.

RKO PATHE NEWS, NO. 10.—Merchant fleet launched. Windsors tour here. British and Russians occupy Iran. New giant homber in Baltimore. Newspaper Week observed. Brooklyn celebrates "Dodger Day." Stamford-Oregon, Tulane-Boston College football. Fans welcome Dodgers in Brooklyn. Gloucester women in defense demonstration.

UNIVERSAL NEWSREEL, NO. 19.—Record merchant ship launchings. British rush tanks to Russia. Russia sends tanks to the front. New bomber in Baltimore. Windsors in Washington. Hurricane in Texas. Lou Nova and Joe Louis at weigh-in in New York. Foothall at South Bend, New Orleans and Seattle.

Metro Tradeshows Two Films on Oct. 14

"Chocolate Soldiers" and "Unholy Partners" will be tradeshown by M-G-M Oct. 14 around the country with the exception of New York and Philadelphia. In Philadelphia "Unholy Partners" will be screened Oct. 14 in the morning and again in the afternoon while "Chocolate Soldiers" will be shown the following day. Both pictures will be shown Oct. 16 in New York also in the morning and in the afternoon.

Indiana Meet Nov. 17

INDIANAPOLIS, Sept. 30.—The 15th annual convention of the Associated Theatre Owners of Indiana will be held Nov. 17 and 18 in the Hotel Antlers here.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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'Kisses' and Show $19,000; Chicago Slow

CHICAGO, Sept. 30.—Grosses generally were slow here. "Best receipts went to the State-Lake, where "Kisses for Breakfast," and a stage show headed by Gypsy Rose Lee and Roscoe Ates drew $19,000.

Estimated receipts for the week ending Sept. 25:

"Major Barbara" (U.A.)
APOLLO—(1,400) (30c-40c-59c) 7 days, 2nd week. Gross: $7,500.
"Aloma of the South Seas" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage—Variety Show. Gross: $32,500. (Average, $32,000)
"Dive Bomber" (W.B.)
GARRICK—(1000) (35c-55c-75c) 7 days. Gross: $5,500. (Average, $5,000)
"The Bride Came C.O.D." (W.B.)
"My Life With Caroline" (RKO)
ORIENTAL—(3,200) (25c-40c) 7 days. Gross: $8,000. (Average, $9,000)
"Citizen Kane" (RKO)
"Scattergood Meets Broadway" (RKO) (1 day, 4th week)
"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO) (6 days)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $17,000. (Average, $13,000)
"Bad Men of Missouri" (W.B.)
"Tanks a Million" (U.A.) (6 days)
"Belle Starr" (20th-Fox)
"Nine Lives Are Not Enough" (W.B.) (1 day)
ROOSEVELT — (1,500) (30c-40c-59c) 7 days. Gross: $11,000. (Average, $11,000)
"Kisses For Breakfast" (W.B.)
STATE-LAKE—(3,700) (25c-35c-40c-50c) 7 days. Stage—Gypsy Rose Lee, Roscoe Ates. Gross: $19,000. (Average, $14,000)
"When Ladies Meet" (M-G-M)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days, 3rd week. Gross: $11,000. (Average, $14,000)

Settle W. B. Product Case Out of Court

ALBANY, Sept. 30.—The action of Abe Stone, operator of the Eagle here, against Warners' Delaware and Albany theatres over product availability was settled today by stipulation. Under the settlement, the Eagle will be entitled to availability 35 days after the second run Madison Theatre.

Stone had sought a temporary injunction against 20th Century-Fox and Warners to restrain them from supplying Warners' Delaware ahead of the Eagle. Twentieth Century-Fox later settled its phase of the action and, following a hearing on the Warner phase, the injunction was denied.

Under the terms of the settlement the Colonial, an independent house, and the Delaware will be seven days ahead of the Eagle, Paramount and Royal, but in no event will more than 21 days elapse before pictures are available.

Set Kaufman Bail at $15,000 in I.A. Case

Louis Kaufman yesterday pleaded not guilty before Federal Judge John W. Holland to the indictment of a Federal grand jury handed down this week which charged the defendant along with Nick Dean of conspiring with William Bioff and George E. Browne of extorting "upwards of $1,000,000" from four major film companies.

Judge Holland set October 27 as the date of the trial. The court fixed bail at $15,000. U. S. Attorney Mathias F. Correa unsuccessfully sought bail of $25,000.

New Abbott Musical Is Opening Tonight

The season's first new musical comedy, George Abbott's production of "Best Foot Forward," will be presented tonight at the Ethel Barrymore Theatre. Rosemary Lane heads the cast which includes Marty May, Gil Stratton, Jr., Maureen Cannon and others. Music and lyrics are by Hugh Martin and Ralph Blane.

Legion Approves 13 of 14 New Films

The National Legion of Decency for the current week has approved 13 of 14 new films, nine for general patronage and four for adults, while one was classified as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Bandit Trail," "Billy the Kid Wanted," "Birth of the Blues," "Burma Convoy," "Glamour Boy," "Let's Go Collegiate," "Nine Lives Are Not Enough," "Riding the Wind," "Saddle Mountain Roundup." Class A-2, Unobjectionable for Adults—"Dangerous Lady," "Ladies in Retirement," "You'll Never Get Rich," "Weekend in Havana." Class B, Objectionable in Part—"Honky Tonk."

Coast Variety Club Officers Are Inducted

(*Continued from page* 1)

and jewel to the tent.

Remodeling of a portion of the Ambassador Hotel for permanent headquarters is in progress in anticipation of an enrollment expected to be the largest in the annals of the Variety organization.

3 Companies Formed

ALBANY, Sept. 30. — Three new companies chartered here are: R. & B. Theatre Corp., New York, by Milton Sheen, Marie DiNapoli and Louis Hoffman; Kant Amusement Corp., New York, by Jesse L. Stern, Richard S. Temko and Frances Franco, and Talk-A-Vision Operating Co., Inc., New York, by Frank W. Potts, Benjamin C. Milner, Jr., and Henry A. Johnston.

Majority of Allied Units Ratify Joint Industry Proposal

(*Continued from page* 1)

Pennsylvania, ITPA of Wisconsin and Upper Michigan, Associated Theatre Owners of Indiana, Allied Theatre Owners of District of Columbia, New York State unit of Allied, Allied ITO of Eastern Pennsylvania.

It was noted that Jersey Allied ratified the resolution with reservations, and that Illinois Allied and the Eastern Pennsylvania unit ratified with a special vote of confidence in the national Allied officers and board.

The resolution specifically was for the authorization of the formation of a national Allied committee which would participate in a joint industry move to promote better relations within the industry.

Plan Unionizing of Mexico Radio Staffs

MEXICO CITY, Sept. 30.—Moves have been made by the local labor federation, an associate of the Confederation of Mexican Workers, to unionize artists, announcers and technicians of all of the 30 active radio stations here and to form one union of all local radio workers. These organizations, the federation contends, will assure greater protection of the interests of all radio workers.

Artists, announcers and technicians at present are not covered by the labor contracts of the radio stations. The majority of these stations' staff members are reported to be in favor of this unionization.

To Sign Ascap Pact

Station WHEC, Rochester, yesterday advised CBS that it would sign the new Ascap network agreement and the new local Ascap agreement. The station is the first CBS affiliate to respond to the network's letter of last Saturday which recommended acceptance of the new Ascap pact.

Promoted by Comerford

SCRANTON, PA., Sept. 30.—Samuel Friedman, manager of the Capitol at Pottsville, Pa., for 14 years, has been appointed district manager for nine Comerford houses in the area from Hazleton to Mauch Chunk, Pa.

'York' Smash Los Angeles Hit, $45,300

LOS ANGELES, Sept. 30.—"Sergeant York" was the outstanding film here, taking $45,300 at two houses, $22,500 at the Hollywood and $22,800 at the Downtown. "Here Comes Mr. Jordan," in the second week on a dual at the Hillstreet and Pantages, also was strong.

Estimated receipts for the week ending Sept. 25:

"Belle Starr" (20th-Fox)
"Tanks a Million" (Roach-U.A.)
CHINESE — (2,500) (33c-44c-55c-75c) 6 days. Gross: $9,000. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 34th week. Gross: $3,800. (Average, $17,000)
"The Stars Look Down" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 4th week. Gross: $2,500. (Average, $3,250)
"Here Comes Mr. Jordan" (Col.)
"The Officer and the Lady" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, "Jordan" 2nd week. Gross: $8,500. (Average, $6,500)
"Belle Starr" (20th-Fox)
"Tanks a Million" (U.A.)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $13,500. (Average, $14,000)
"Here Comes Mr. Jordan" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, "Jordan" 2nd week. Gross: $10,500. (Average, $7,000)
"Badlands of Dakota" (Univ.)
"Flying Blind" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Matty Malneck—"Copacabana Revue." Gross: $16,500. (Average, $18,000)
"Sergeant York" (W.B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $22,500. (Average, $14,000)
"Sergeant York" (W.B.)
WARNER BROS. (Downtown)—(3,400) 7 days. Gross: $22,800. (Average, $12,000)

Agma Asks Pre-Trial Quiz of Petrillo

The American Guild of Musical Artists filed application yesterday in the N. Y. Supreme Court for an order directing James C. Petrillo, president of American Federation of Musicians, to submit himself to a sweeping examination before trial. Testimony of Petrillo is being sought in connection with Agma's action to restrain Petrillo from barring members of Agma from the screen, radio and concert stage, unless they joined the A. F. of M.

Suit was dismissed by the Appellate Division of the Supreme Court, but in July the Court of Appeals reversed the lower court decision and ordered a trial. Petrillo will be asked 45 questions listed in the application, including his powers as president and the alleged threats made by him against Agma members.

"Heaven" Opens in Capital Tomorrow

Warners' "One Foot in Heaven" will have its world premiere at the Earle Theatre in Washington tomorrow night, sponsored by the Advisory Committee of Protestant Clergymen, of which Bishop James Edward Freeman of Washington is chairman.

Martha Scott, one of the film's stars, will attend, as will Mrs. William Spence, widow of the clergyman whose life is portrayed in the picture. A special train will take a group of newspaper and magazine writers from here, and others are coming East for the event from the Coast.

Who Cares About Grosses With 'Dem Bums' in Series

(*Continued from page* 1)

one over the fence with three on, no manager is going to let a mere feature keep him from telling the audience about it. There'll be radios in the lobby and scores will be posted inning-by-inning outside many of the houses. The Brooklyn Strand will build a little bleacher section with benches in the lobby for the fans.

"We haven't had any afternoon business for the past month," said the general manager of one circuit. "We can take it for one week more. Now with Whit Wyatt taking at least two games and Higbe. . . ."

Just in case there might be some business, the fact that today is Yom Kippur is expected to kill whatever matinee gross there might be remaining. Of course, the evening gross on the holiday is generally big but managers think that most of the fans will be celebrating away from films. The scoreboard in front of the *Brooklyn Cititzen* is expected to play to a capacity "house."

"Grosses? What grosses? We don't expect to do any business here. Now you take Joe Medwick, there's a man who. . . ." And so on into the night.

'Serenade' Is Seattle's High, Takes $8,200

SEATTLE, Sept. 30. — "Sun Valley Serenade" at the Paramount, one of the two new films of the week, took a strong $8,200. Other houses were fair with cooler weather aiding.

Estimated receipts for the week ending Sept. 26:

"When Ladies Meet" (M-G-M)
"Ringside Maisie" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 4th week. Moved from Fifth Avenue. Gross: $3,200. (Average, $4,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Whistling in the Dark" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,900. (Average, $7,000)
"Here Comes Mr. Jordan" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 4th week. Gross: $4,600. (Average, $5,000)
"Charley's Aunt" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 4th week. Moved from Paramount. Gross: $3,400. (Average, $4,000)
"Aloma of the South Seas" (Para.)
"Flying Blind" (Univ.)
ORPHEM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)
"Mountain Moonlight" (Rep.)
"Raiders of the Desert" (Univ.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $4,900. (Average, $5,000)
"Sun Valley Serenade" (20th-Fox)
"Broadway Limited" (Univ.)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $8,200. (Average, $6,000)

'Kane' Providence Winner at $11,500

PROVIDENCE, Sept. 30. — "Citizen Kane" and "San Antonio Rose" at the RKO-Albee brought in a strong $11,500 and "Our Wife" and "Two in a Taxi" drew $8,000 in the second week at the Strand.

Estimated receipts for the week ending Sept. 24-25:

"Citizen Kane" (RKO)
"San Antonio Rose" (Univ.)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $11,500. (Average, $6,000)
"Lady Be Good" (M-G-M) (3 days, 2nd week)
"Tillie the Toiler" (Col.) (3 days, 2nd week)
"You'll Never Get Rich" (Col.) (4 days)
"Harmon of Michigan" (Col.) (4 days)
LOEW'S STATE—(3,232) (28c-39c-50c). Gross: $11,000. (Average, $11,000)
"Dive Bomber" (W. B.)
"Accent on Love" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days, 2nd week. Gross: $7,600. (Average, $7,000)
"Our Wife" (Col.)
"Two in a Taxi" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $8,000. (Average, $6,000)
"Let's Go Collegiate" (Mono.)
METROPOLITAN—(3,045) (30c-39c-55c) 3 days. Stage show with Rochester, Dick Stabile's Orchestra, Gordon Robb, Gracie Barrie, Walton & O'Rourke, Ruby Ring. Gross: $5,800. (Average, $5,000)
"Under Fiesta Stars" (Rep.)
"Father Steps Out" (RKO)
FAY'S — (1,800) (15c-25c-35c) 7 days. Gross: $1,900. (Average, $2,800)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Tanks a Million" (U.A.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 3rd week. Gross: $2,200. (Average, $3,500)
"The Stars Look Down" (M-G-M) (3 days)
"Puddin' Head" (Rep.) (3 days)
"Man Power" (W.B.) (4 days)
"Whistling in the Dark" (M-G-M) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

Club Banquet Dec. 11

PHILADELPHIA, Sept. 30.—The Variety Club has set Dec. 11 for its annual banquet to be held at the Bellevue Stratford Hotel. Committees will be appointed at the next regular meeting.

Reviews

"Dumbo"

(Disney-RKO-1941-'42 Release)

IN a word, "Dumbo" is delightful. Done in the Walt Disney tradition, its effects enhanced by the use of Technicolor, this latest cartoon feature from the hand of the master of his medium should be a delight for showmen, as it most certainly will be a delight for every child in the land, and should be for every adult who cares anything about remembering he once was a child.

The erudite perhaps will draw endless parallels between the adventures in disappointment of the little elephant with the enormous ears and the world of man, but that may be put aside for the sheer enjoyment the character and his animated friends will furnish in this day of worry and world alarm.

Disney based his little story on a book by Helen Aberson and Harold Pearl, but its intrinsic value has been merely a jumping-off place for the exercise of the Disney technique of fantasy and fun, whose appeal is universal, and whose audience is legion.

Poor Dumbo, brought by the stork to Mother Jumbo of the circus, finds his midget lot a hard one as his large ears bring ridicule upon him. His mother confined because of rage at the treatment her little one receives, he is befriended by a mouse-roustabout, who is the new counterpart of Jimminy Cricket of "Pinocchio" fame. Eventually comes the inspiration, Dumbo finds he can use his ears to fly, and the world is made very much all right again for him and his mother.

That is a bare outline. It takes no account of the innumerable wholly delightful scenes and songs, the color and the fantasy, the highlight kaleidoscopic color sequence which follows the accidental imbibing of champagne by Dumbo and the mouse, when their pink elephant vision comes to screen-life, a scene which should draw applause, or the expression of mother-love which goes behind the cartoon medium, and is made human and real under the Disney hand.

This is sheer entertainment, a treat for any audience anywhere, and if there is any justice in the world, it should be just as much a treat for the theatre operator.

Running time, 64 minutes. "G."* CHARLES S. AARONSON

"Desperate Cargo"

(Producers Releasing-1940-'41 Release)

THIS blending of good comedy and tense melodrama, neatly balanced, results in an excellent item of entertainment for the smaller theatres. The cast names have no great drawing power and the story is somewhat inconsequential, but it is well done all the way through.

In the cast are Ralph Byrd, Carol Hughes, Julie Duncan, Jack Mulhall, I. Stanford Jolley, Kenneth Harlan and others. Each performs effectively, which factor combines with brisk direction by William Beaudine to make the yarn sparkling and exciting.

Most of the comedy is in the first part as Byrd, airplane purser, and Mulhall, reporter, are awaiting the arrival of a trans-Caribbean airship, while Miss Hughes and Miss Duncan are conniving to obtain passage back to Broadway. Finally all board the plane which, is overtaken by Jolley and his gang. Byrd's heroics lead to the capture of the gang.

Running time, 69 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

"Serenade" Snares $13,800 in Toronto

TORONTO, Sept. 30.—"Sun Valley Serenade" drew $13,800 at the Imperial. "Life Begins for Andy Hardy" took $9,500 at Loew's in its second week.

Estimated receipts for the week ending Sept. 27:

"Man Hunt" (20th-Fox)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 days, 3rd week. Gross: $3,200. (Average, $4,200)
"Sun Valley Serenade" (20th-Fox)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $13,800. (Average, $9,000)
"Life Begins for Andy Hardy" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days, 2nd week. Gross: $9,500 (Average, $9,000)
"Aloma of the South Seas" (Para.)
"Three Sons o' Guns" (W. B.)
TIVOLI—(1,434) (12c-30c-48c) 6 days. Gross: $4,000. (Average, $3,900)
"Here Comes Mr. Jordan" (Col.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days, 3rd week. Gross: $8,500. (Average, $9,000)

New Haven in Lull; 'Our Wife' $5,200

NEW HAVEN, Sept. 30. — "Our Wife" and "I Was a Prisoner on Devil's Island" drew $5,200 at the Roger Sherman. The second week of "When Ladies Meet" at the College grossed $2,800. The weather was warm and grosses were generally slow.

Estimated receipts for the week ending Sept. 26:

"When Ladies Meet" (M-G-M)
"The Bride Wore Crutches" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $2,700)
"Here Comes Mr. Jordan" (Col.)
"Blondie in Society" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,000. (Average, $8,000)
"This Woman Is Mine" (Univ.)
"The Get Away" (M-G-M)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,000. (Average, $4,500)
"Our Wife" (Col.)
"I Was a Prisoner on Devil's Island" (Col.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $5,200. (Average, $5,000)

'Truth' Pulls Neat $20,000, Philadelphia

PHILADELPHIA, Sept. 30. — The Stanley, with the world premiere of "Nothing But the Truth" attended by Bob Hope, grossed $20,000. Glenn Miller's orchestra at the Earle counted for a near-record $34,000, while the film was "The Pittsburgh Kid."

Estimated receipts for the week ended Sept. 23-26:

"Lady Be Good" (M-G-M)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $7,500. (Average, $9,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,600. (Average, $2,600)
"Here Comes Mr. Jordan" (Col.)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $12,000. (Average, $13,000)
"The Pittsburgh Kid" (Rep.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Glenn Miller's orchestra, Ray Eberle, Marion Hutton, The Modernaires, Wally & Verdyn Stapleton and Sybil Bowman. Gross: $34,000. (Average, $14,000)
"Two in a Taxi" (Col.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Faith Bacon, Grace Drysdale, Jean Carroll & Buddy Howe, Bill Ames, Gae Foster Roxyettes and Billy Klaiss' orchestra. Gross: $8,000. (Average, $6,900)
"Navy Blues' (W.B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 8 days. Gross: $13,000. (Average, $13,000)
"Aloma of the South Seas" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,000. (Average, $3,000)
"Belle Starr" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,500. (Average, $4,500)
"Nothing But the Truth" (Para.)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days. Gross: $20,000. (Average, $14,000)
"Highway West" (W.B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,800. (Average, $4,500)

'Belle Starr,' Scott Milwaukee Leader

MILWAUKEE, Sept. 30. — "Belle Starr," a holdover at Fox's Wisconsin, coupled with Raymond Scott's orchestra, tallied $11,300. "My Life With Caroline" and "Jungle Cavalcade" drew a $6,500 take at the Warner.

Estimated receipts for the week ending Sept. 25:

"Here Comes Mr. Jordan" (Col.)
"Harmon of Michigan" (Col.)
PALACE—(2,400) (33c-44c-55c) 7 days. Gross: $4,600 (Average, $4,000)
"Sun Valley Serenade" (20th-Fox)
"She Knew All the Answers" (Col.)
STRAND—(1,400) (44c-65c) 7 days. Gross: $1,700. (Average, $1,500)
"My Life With Caroline" (RKO)
"Jungle Cavalcade" (RKO)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,500 (Average, $4,500)
"Belle Starr" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Stage: Raymond Scott and his orchestra. Gross: $11,300 (Average, $5,500)

Wins Suit Against 306

Harry A. Harris and nine operating companies of the local Harris Cicuit won their fight in court to prevent Local 306 from arbitrating the question of an increase in wage scales, when N. Y. Supreme Court Justice Peter Schmuck upheld Harris's petition for a restraining order against the union. The court ruled the notice of arbitration served upon Harris and the operating companies to be "improper and illegal."

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VOL. 50. NO. 66 NEW YORK, U.S.A., THURSDAY, OCTOBER 2, 1941 TEN CENTS

Chance Games Seen Killed In Kentucky

State Will Act Following Schine Judgment

LOUISVILLE, Ky., Oct. 1.—Chance games are believed to have been dealt their death blow in Kentucky as a result of a consent judgment which will soon be entered here against the Schine Theatres Corp. The judgment bars the circuit from further operation of the games and wins from it an admission that the practice violates the constitution and laws of the State.

The settlement is a compromise of court proceedings instituted against Schine's five local theatres by the State. When the judgment is entered, Attorney General Hubert Meredith will issue a statement that if any Kentucky theatre operates chance games it will be proceeded against and no further compromise will be accepted.

Jesse K. Lewis, assistant attorney general in charge of the Schine case,

(*Continued on page 6*)

23d N. Y. Complaint Filed, Award Granted

The New York arbitration board's twenty-third complaint was filed yesterday and an award was entered at the same board reducing the clearance of competing theatres over the West End Theatre, Newark, in the latter's clearance complaint against the five consenting companies.

The West End is operated by Pausan Enterprises. The arbitrator found that the existing clearance affecting the theatre is "unreasonable" and ordered the 14-day clearance of the Warner Ritz over the West End reduced to seven days, and abolished the clearance of Warners' Savoy over the theatre in instances in which the

(*Continued on page 8*)

Probers to Attend Premiere of 'Heaven'

Warners' "One Foot in Heaven" will have its world premiere at the Earle in Washington tonight with four members of the Senate subcommittee investigating motion pictures scheduled to attend, according to a Warner announcement. They are Chairman D. Worth Clark and Sena-

(*Continued on page 8*)

Theatres Held Free Of Insurance Claim

Members of theatre orchestras under contract and employed through agents are independent contractors, rather than theatre employes, and as such are not entitled to unemployment insurance benefits from the theatre, the New York Court of Appeals has decided in a recent decision disclosed by attorneys yesterday.

The decision involved the claims of an orchestra leader employed in theatres at Freeport and Huntington, N. Y., and reversed a ruling of the Unemployment Insurance Appeal Board.

MPTOA's Special Committee to Meet With Wobber Today

MPTOA's special "trouble-shooting" committee appointed to confer with distribution company officials on complaints against new season's sales policies received by the national organization from its membership is scheduled to meet this morning with Herman Wobber, 20th Century-Fox general sales manager. The meeting is the first to be scheduled by the committee since its appointment last

(*Continued on page 8*)

TAX HAS NO EFFECT ON THEATRE GROSS

Hanson Leaves All Nathanson Canada Firms

TORONTO, Oct. 1.—Oscar R. Hanson has resigned as director of theatre operations for the new Nathanson Odeon Circuit and today announced his withdrawal from other Nathanson companies in which he held ranking executive posts.

Hanson said his resignations are effective today. In addition to the Odeon post, he relinquishes the presidency of Empire-Universal Films, Ltd., and similar posts with Associated Theatres, Ltd., Sterling Films, Ltd., and Sovereign Distributors, Ltd., in all of which he was closely associated with N. L. Nathanson for many years.

It is believed here that Hanson's withdrawal from the Nathanson concerns may be traced to a division of authority in Odeon management and operations and to recent Empire-Universal developments. Paul Nathanson, son of N. L. Nathanson, is president of Odeon and vice-president of Empire-Universal. It is expected that he will replace Hanson as presi-

(*Continued on page 8*)

N.Y. Houses Pass Levy to Patrons; Neighborhoods Plan Children's Cut

The new Federal tax schedule, eliminating the exemption previously in force for admissions under 21 cents, went into operation smoothly here and throughout the country yesterday, representative circuit and independent operators reported last night. All adult admissions are now taxed 10 per cent.

Attendance was unaffected to any noticeable degree by the new levy, it was uniformly reported by theatres. Neighborhood houses, particularly in Brooklyn, experienced a general decline in matinee attendance but attributed it to the combination of the World Series opening game and the Jewish holiday, rather than to the new admission tax scales.

Substantiating their view was the traditionally substantial increase in attendance reported throughout the city for last night's performances, following the end of the holy days.

New York houses for the most part are passing the tax along, but many

(*Continued on page 6*)

Allied Ponders Its Minn. Law As Circuits Get Films

MINNEAPOLIS, Oct. 1.—Allied Theatre Owners of the Northwest, proponent of the Minnesota anti-block of five law, is in something of a dither over the fact that Minnesota Amusement Co., Paramount affiliate, will begin exhibiting Paramount new season product in its theatres within the next few days and that RKO's "Citizen Kane" is scheduled to open here next week.

The latter picture is in RKO's first block of five for the new season.

Northwest Allied's legislative and executive committee met jointly here today to consider the possibility of taking action to forestall the local exhibition of the new season product, but adjourned after deciding to maintain a "hands off" policy pending a

(*Continued on page 8*)

Col. to Open Chicago Sales Meet Tomorrow

CHICAGO, Oct. 1.—Columbia will open the first of three regional sales meetings at the Blackstone Hotel here Friday. The meeting will continue through Sunday, with Abe Montague, general sales manager, presiding.

Home office executives, Midwestern, Central and Southern division managers and the branch managers and personnel of the following exchanges will attend the sessions here: Chicago, Milwaukee, Minneapolis, Omaha, Des Moines, Detroit, Indianapolis, Kansas City, St. Louis, Atlanta, Charlotte, Dallas, Memphis, New Orleans and Oklahoma City.

Conn. Allied Opposes Joint Industry Plan

NEW HAVEN, Oct. 1.—Allied Theatre Owners of Connecticut voted to oppose the national Allied States proposal for participation in an all-industry committee which would work for better unity among the various industry branches.

Action was taken before word was received from the national organization that a majority of Allied units throughout the country had voted to approve the joint industry committee. The local organization, however, gave a vote of confidence to Allied's na-

(*Continued on page 6*)

RKO Sets Deal With Warners' New Eng.

RKO yesterday announced the closing of a deal for its first new season block-of-five with Warners New England Theatres, covering 46 theatres in 38 situations.

The company also closed a deal for its last season's product with Gardar Thorsteinsson, operator of the only theatre in Reykjavik, Iceland.

Personal Mention

MR. and MRS MURRAY SILVERSTONE leave for California on Saturday.

•

EUGENE ZUKOR arrived from the Coast by plane yesterday.

•

IRVING HELFONT of the M-G-M home office sales department observes a birthday today.

•

HARRY M. BESSEY, secretary and treasurer of Altec Service, and STANLEY HAND, staff representative, have returned from the South.

•

EDWIN CLINE, Erpi manager in Guatemala, will arrive today to take over a new assignment in the home office foreign department.

•

E. S. SEELEY, Altec Service engineer, has been granted a leave of absence to do research in submarine detection for the National Defense Laboratories.

Phila. Showmen Club Elects New Officers

PHILADELPHIA, Oct. 1.—The Local Showmen's Club elected officers for the 1941-1942 year at its meeting last night. All candidates were unopposed, with Charles Goldfine, operator of the Local Alden, elected Star (president) in place of Edgar Moss, 20th Century-Fox district manager, who declined because of press of business.

Other officers include: Meyer Adelman, Stand-In (vice-president); Charles Stiefel, Yes Man (secretary); Sam Rosen, Banker (treasurer); Joe E. Sapsis, Script Man (financial treasurer); D. M. Kirby, financial secretary; David W. Yaffe, Fixer (attorney); and for the Board of Producers (directors)—Edgar Moss, Ben Biben, Dave Rosen and Oscar Neufeld.

Zimbalist Named to Head Phila. WB Club

PHILADELPHIA, Oct. 1.—Al Zimbalist was elected president of the Philadelphia Warner Club at the first meeting of the new season, held here yesterday.

Other officers elected are: Stanley Benford, Joseph Feldman and Floyd Bretz, vice-presidents; J. Ellis Shipman, treasurer, and Helen Mahoney, secretary. Elected to the finance committee were: Ted Schlanger, Shipman, Ed Hinchey, Feldman and Zimbalist.

Disney Drops Plans For S. A. Production

HOLLYWOOD, Oct. 1.—Contrary to previous accounts, it was officially indicated today by the RKO studio that Walt Disney has abandoned plans for a cartoon studio in South America and would return here with his aides from his South American trip by Oct. 20. It was announced that Disney will instead make 12 shorts with Latin American backgrounds here for the new season, for distribution by RKO.

Key Grosses Show Gain With Start of Fall Season

KEY city theatre grosses have increased in recent weeks, with the beginning of the Fall show season, and appear to be maintaining those gains, according to a compilation of box-office receipts, based on MOTION PICTURE DAILY's weekly gross reports from across the country.

For the week ending Sept. 19-20, the most recent reported, 147 houses reported an aggregate gross of $1,520,400, which compares, for example, with a total of $1,358,200, from 138 houses for the week ending Aug. 8-9. The highest total for recent months resulted during the week which included the Labor Day weekend, ending Sept. 5-6, when 147 theatres reported an aggregate gross of $1,760,500.

The following tabulation indicates the total gross each week and the number of theatres reporting, since the beginning of the last season, September, 1940:

Week Ending	No. of Theatres	Total Gross
Sept. 6-7, 1940	131	$1,545,900
Sept. 13-14	132	1,482,800
Sept. 20-21	136	1,343,800
Sept. 27-28	130	1,255,400
Oct. 4-5	127	1,264,300
Oct. 11-12	130	1,360,900
Oct. 18-19	131	1,359,400
Oct. 25-26	136	1,383,600
Nov. 1-2	131	1,302,600
Nov. 8-9	134	1,533,000
Nov. 15-16	126	1,285,000
Nov. 22-23	132	1,351,800
Nov. 29-30	136	1,446,000
Dec. 6-7	137	1,386,900
Dec. 13-14	133	1,253,200
Dec. 20-21	126	955,500
Dec. 27-28	128	1,106,500
Jan. 3-4, 1941	139	1,723,700
Jan. 10-11	140	1,697,500
Jan. 17-18	159	1,644,000
Jan. 24-25	150	1,624,700
Jan. 31-Feb. 1	151	1,681,700
Feb. 7-8	146	1,634,000
Feb. 14-15	144	1,447,400
Feb. 21-22	144	1,422,000
Feb. 28-March 1	146	1,601,900
March 7-8	153	1,488,500
March 14-15	162	1,532,600
March 21-22	154	1,614,400
March 28-29	161	1,612,800
April 4-5	153	1,449,300
April 11-12	148	1,384,600
April 18-19	152	1,638,800
April 25-26	154	1,540,200
May 2-3	160	1,496,400
May 9-10	166	1,540,300
May 16-17	166	1,489,750
May 23-24	156	1,392,600
May 30-31	162	1,403,100
June 6-7	163	1,607,000
June 13-14	146	1,230,600
June 20-21	145	1,322,500
June 27-28	151	1,284,300
July 4-5	146	1,306,400
July 11-12	134	1,549,100
July 18-19	130	1,233,200
July 25-26	125	1,271,500
Aug. 1-2	145	1,352,700
Aug. 8-9	138	1,358,200
Aug. 15-16	140	1,409,100
Aug. 22-23	139	1,496,900
Aug. 29-30	138	1,383,800
Sept. 5-6	147	1,760,500
Sept. 12-13	143	1,520,400
Sept. 19-20	147	1,520,400

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Party for Henry Koster

Henry Koster, director of Universal's "It Started with Eve," which opens at the Radio City Music Hall today, will be guest of honor at a cocktail party given by W. G. Van Schmus, managing director of the Music Hall, at the theatre tomorrow.

Open Minn. Club Season

MINNEAPOLIS, Oct. 1.—Twin City Variety club will inaugurate its Fall season with a dinner meeting next Monday at the Hotel Nicollet.

Baltimore Variety's Clubrooms Delayed

BALTIMORE, Oct. 1. — An unexpected delay in the arrival of furnishings has necessitated postponement of the opening of the local Variety Club's new quarters atop the Stanley Theatre here. The location, which was a night club for several years, has been entirely remodeled.

Several parties are scheduled for the opening about the end of this month.

O'Neill Play Opens At Guild Tonight

"Ah, Wilderness!" opens at the Guild Theatre tonight with Harry Carey, Ann Shoemaker, Enid Markey, Hale Norcross, Dennie Moore, Shirley Poirier and others in the cast. The Eugene O'Neill comedy is the first of a proposed series of revivals to be presented by the Theatre Guild.

M-G-M to Show New Exploitation Aids

M-G-M plans demonstrations of its new advertising, publicity and exploitation aids for exhibitors at several gatherings of theatre men in the next few weeks.

A feature of the demonstrations will be the "Showbuilder" mobile unit which includes a laboratory of exploitation aids. H. M. Richey, director of M-G-M exhibitor relations, will address exhibitor meetings in this connection.

Events where the demonstrations are planned include: Allied Theatre Owners of Michigan convention in Detroit, Oct. 6 to 8; Connecticut Allied luncheon for Joseph Reed, New Haven, Oct. 7; Allied MPTO of Western Pennsylvania convention, Pittsburgh, Oct. 22, and a special meeting of exhibitors in Cincinnati, Oct. 28, at which M-G-M plans to be host to theatre and newspapermen.

Loew-Lewin to Film Story by Maugham

LOS ANGELES, Oct. 1.—David L. Loew and Albert Lewin, today announced the purchase of Somerset Maugham's "The Moon and Sixpence." Plans for release are not set, pending settlement of their releasing arrangement with United Artists.

Club to Honor Hendel

COLUMBUS, Oct. 1.—Barkers of the Columbus Variety Club will give a buffet dinner Monday in honor of James Hendel, former United Artists salesman in this territory, who has been made Cleveland branch manager for the company. The committee in charge includes Al Redman, Pete Wood, John Murphy and Russ Bovim.

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Warner Bros. have "One Foot in Heaven" in Washington Tonight!



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Six New Films Finished; 44 Now in Work

HOLLYWOOD, Oct. 1. — Forty-four pictures were before the cameras this week, as six finished and eight started. Twenty-five were being prepared, and 65 were being edited.

The tally by studio:

Columbia

Finished: "Outlaw Ranger," "Confessions of Boston Blackie."

In Work: "Blondie Goes to College," "Honolulu Lu," "Bedtime Story," "The Lady Is Willing."

Goldwyn (RKO)

In Work: "Ball of Fire."

Korda (U. A.)

In Work: "Jungle Book."

M-G-M

Finished: "The Girl on the Hill."

In Work: "The Vanishing Virginian," "Steel Cavalry," "Johnny Eager," "Woman of the Year," "H. M. Pulham, Esq.," "Panama Hattie," "Babes on Broadway," "Her Honor."

Monogram

In Work: "Sis Boom Bah."

Producers Releasing

Finished: "The Miracle Kid."

Started: "Swamp Woman," "Billy the Kid's Oklahoma Justice."

Pressburger (U. A.)

In Work: "The Shanghai Gesture."

Paramount

In Work: "Tombstone."

Started: "The Lady Has Plans," "The Fleet's In."

RKO

In Work: "Thundering Hoofs," "Joan of Paris," "Call Out the Marines."

Started: "Valley of the Sun."

Republic

In Work: "The Devil Pays Off."

Started: "Sierra Sue."

Small (U. A.)

Started: "Twin Beds."

20th Century-Fox

In Work: "Remember the Day," "Rise and Shine," "Son of Fury."

Started: "The Perfect Snob," "Castle in the Desert."

Universal

Finished: "Man or Mouse."

In Work: "Melody Land," "Keep 'Em Flying," "South of Tahiti" (formerly "White Savage").

Warners

Finished: "Steel Against the Sky," (formerly "Dangerously They Live").

Suspended: "The Man Who Came to Dinner."

In Work: "Wild Bill Hickok Rides," "You're in the Army Now," "The Male Animal," "All Through the Night," "Kings Row," "Captains of the Clouds," "They Died with Their Boots On."

Conn. Allied Opposes Joint Industry Plan

(Continued from page 1)

tional officers, as have others.

"This is merely a matter of difference of opinion," said Dr. J. B. Fishman, president of Connecticut Allied, in commenting on the resolutions. In opposing the all-industry committee, he said, the organization felt that the interests of the independent exhibitor would be lost or subjugated if the proposal were to be placed in effect.

Start of New Tax Brings No Change at Box-Office

(Continued from page 1)

neighborhood houses plan to reduce the price of special children's matinees from 10 cents to 9 cents, which is not subject to tax.

National circuit operators were agreed that the first day's operation under the nex tax levy bore out their belief that it would not adversely affect business. RKO, Loew's, Warner and National Theatres officials pointed out that the most tangible effect of the new scales will be noticed at Saturday matinees, since the new Federal levy relates most directly to juvenile admissions of 10 and 15 cents.

Circuit officials pointed out that adult admissions are negligibly affected by the new tax, having been in effect heretofore on admissions from 20 cents up. It was also indicated that the public is "tax conscious" and already has accepted the fact that the cost of virtually everything is up and likely to go higher. That acceptance has made the public philosophical about all new taxes, it was stated.

Most major Broadway houses reported excellent business yesterday. The Paramount, Roxy and Radio City Music Hall had standees during most of the afternoon and evening, accordto the theatres. The Strand reported good business and the Capitol said attendance was better than average for the afternoon, with capacity business last night.

The Globe and Central reported business "rather slow" and the New York Theatre, first-run Western house, was off. Business also was slow at the New Amsterdam and other 42nd Street "grind" houses.

Many theatres along Broadway provided radio reports of the Brooklyn-Yankees game, and most reportedly benefited from the post-holiday trade last night. The influx of World Series visitors is considered a factor in theatre attendance.

Both first-run and neighborhood matinees in Brooklyn were below average. A matinee check showed 1,300 attendance at the Fox, 800 at the Paramount and about 1,000 at the Metropolitan. The borough's theatre operators, however, all attributed the decline to the holiday and the World Series, rather than to the new tax.

Small Manhattan theatres had few complaints and fewer comments to make on the new tax, all reporting that they were passing it on, with no noticeable affect on attendance resulting.

Few Complaints in Chicago

CHICAGO, Oct. 1.—A check of Loop houses revealed no adverse reaction to the new tax. Theatre men reported a few mild complaints, but the ticket buying public generally is taking it good naturedly. Houses charging 15 and 20 cents have been preparing their patrons for the change with trailers on the screen and signs in the lobby for a week or more.

Reduce Children's Price

CHATTANOOGA, Tenn., Oct. 1.—Theatres here have reduced their children's admission price from 10 to 9 cents in order that the newly reduced exemption on amusements will not force them to collect the extra penny.

Emmett Rogers, city manager for Wilby-Kincey, which operates the Tivoli, State, Rialto and Bijou here, said his theatres would charge 9 cents for children under 12 and adult admissions for all others.

The Wilby-Kincey circuit heretofore charged 10 cents for "children under 14." The new tax forces them to lower the age limit to 12 years.

All neighborhood theatres, owned by Independent Theatres, Inc., have also cut children's admission to 9 cents.

Cincinnati Scales Vary

CINCINNATI, Oct. 1. — No uniform scale of prices because of the tax was agreed upon at a meeting of the Greater Cincinnati Independent Exhibitors League yesterday. Some of the suburban houses, particularly in the lower admission brackets, will pass both the Federal impost and the three per cent State tax to the public, while others will add only the Federal tax.

Seattle Business Unaffected

SEATTLE, Oct. 1.—The new Federal tax had little noticeable effect on Seattle box-offices. Business during matinees and the dinner hour was reported equal to other Wednesdays, considering the attractions. Some comment by the public on the new tax charge was reported, but no adverse criticism or hesitation in buying tickets.

Rochester Adds Tax

ROCHESTER, Oct. 1.—Local theatres are adding the new tax to admissions but plan no general increase in scales, according to theatre men.

Little Reaction in Newark

NEWARK, Oct. 1. — The new tax schedule went into effect smoothly here. Surprise was expressed by some patrons at paying more for lower-priced tickets in some theaters. Attendance, however, was unaffected.

Slight Effect in Minneapolis

MINNEAPOLIS, Oct. 1. — Matinees were said only slightly affected here on the first day of the all-inclusive ticket tax. Evenings are expected to be affected negligibly. The new tax has been well publicized in newspapers.

Milwaukee Unchanged

MILWAUKEE, Oct. 1.—Reports today from local first-runs indicated no noticeable adverse effect on receipts as result of introduction of the new Federal tax schedule.

San Francisco Awaits Test

SAN FRANCISCO, Oct. 1.—The big test of the new tax schedule is expected here on Saturday, when the levy will be added to children's tickets at matinees. Today, however, there was only slight reaction to the tax because only children's prices are affected at most theatres.

Des Moines Matinees Drop

DES MOINES, Oct. 1. — Although suburban houses here reported no drop in attendance on the first day of the new tax, downtown second runs reported a noticeable decrease in matinees before 2 P.M., where admissions were advanced from 16 to 20 cents. First-run houses were not affected and expect an increase in business because of the smaller difference now between their price and that of the downtown second-runs.

Coast Exhibitors Report No Effect

Los Angeles, Oct. 1.—The start of the new Federal taxes showed no initial adverse effect at the box-office in this area, theatre men reported tonight. The feeling of theatre operators here is that no effect will be felt immediately, but that the tax would make itself felt over a period of months should curtailment of family entertainment budgets be necessary because of the higher cost of living.

Chance Games Seen Killed in Kentucky

(Continued from page 1)

stated that every chance game operator will be on the same footing as the Schine theatres here after the judgment is entered and prompt action will be taken against any theatre which continues the practice. On that basis, he said, he expects the games to be eliminated throughout the state by the end of the week.

The action against the Schine theatres asked for the forfeiture of the company's charter and a fine sufficient to punish the company for a five-year violation of the law. The settlement provides for the abandonment by the State of both those objectives, but the company makes the admission that operation of the games is illegal and agrees that it will discontinue the practice.

Pathe Dissolution Plan Is Approved

Pathe Film Corp. shareholders, representing 80 per cent of the outstanding stock, meeting here yesterday, approved the company's plan to exchange its holdings of du Pont Film Manufacturing Corp. common for shares of E. I. du Pont de Nemours & Co. common and to dissolve Pathe Film.

The stockholders also approved compensation to T. C. Davis, a director, of 300 shares of E. I. du Pont common.

Under the approved plan, Pathe will transfer its 3,500 shares of du Pont Film to E. I. du Pont, receiving in return 56,750 shares of the latter's common. In the dissolution of Pathe, holders of 7,469 shares of preferred will receive from current cash resources payment of $100 a share plus accrued dividends. Holders of Pathe common will receive one share of E. I. du Pont common for approximately each 10.3 shares of Pathe.

Buys PRC Franchise

CHICAGO, Oct. 1.—George Topper, once manager of the Star & Garter and Haymarket theatres here and a public accountant in recent years, has purchased the local franchise of the Producers Releasing Corp. Charles Miller continues as branch manager.

'Jordan' Dual Does $32,000 To Lead Hub

BOSTON, Oct. 1.—"Here Comes Mr. Jordan" coupled with "Ringside Maisie" led box office receipts with $14,000 at the Loew's State and $18,000 at Loew's Orpheum for a high total of $32,000.

Estimated box office receipts for week ending Sept. 24-26:

"Parachute Battalion" (RKO)
KEITH BOSTON—(2,697) (28c-44c-55c-65c) 7 days, first run, with stage show including the Beachcombers of 1942 featuring Willie Howard. Gross: $11,150. (Average, $8,000)
"Sun Valley Serenade" (20th-Fox)
"The Gay Falcon" (RKO)
KEITH MEMORIAL—(2,907) (28c-33c-44c-55c) 7 days, 2nd week. Gross: $15,500. (Average, $16,000)
"Hold Back the Dawn" (Para.)
"Henry Aldrich for President" (Para.)
METROPOLITAN—(4,367) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $12,000. (Average, $15,500)
"New York Town" (Para.)
"Flying Blind" (Para.)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 1st run. Gross: $8,169. (Average, $7,500)
"New York Town" (Para.)
"Flying Blind" (Para.)
FENWAY—(1,320) (28c-39c-44c-55c) 7 days, 1st run. Gross: $5,100. (Average, $4,500)
"Wild Geese Calling" (20th-Fox)
"Ice-Capades" (Rep.)
SCOLLAY—(2,500). (28c-39c-44c-55c) 7 days, 3rd run. Gross: $3,111. (Average, $4,000)
"Here Comes Mr. Jordan" (Colo.)
"Ringside Maisie" (M-G-M)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days, 1st run. Gross: $14,000. (Average, $12,000)
"Here Comes Mr. Jordan" (Colo.)
"Ringside Maisie" (M-G-M)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days, 1st run. Gross: $18,000. (Average, $17,500)

Monroe Sets New Record in Newark

NEWARK, Oct. 1.—Vaughn Monroe broke all existing records at the Adams when the three-day weekend gross reached $11,030, topping the previous mark of $10,600 set by Tommy Dorsey during the last Christmas week. Second week of "Life Begins for Andy Hardy" drew $14,300 at Loew's State.

Estimated receipts for the week ending Sept. 24-26:

"The Smiling Ghost" (W.B.)
"Badlands of Dakota" (Univ.)
WARNERS' BRANFORD—(2,840) (28c-33c-44c-55c-65c-75c) 7 days. Gross: $13,800. (Average, $14,000)
"Citizen Kane" (RKO)
"Mexican Spitfire's Baby" (RKO)
RKO PROCTOR'S—(3,389) (28c-33c-44c-55c-65c-75c) 7 days, 2nd week. Gross: $14,800. (Average, $14,500)
"Life Begins for Andy Hardy" (M-G-M)
"Blackout" (U.A.)
LOEW'S STATE—(2,589) (28c-44c-55c-65c-75c) 7 days, 2nd week. Gross: $14,300. (Average, $13,500)
"Ice-Capades" (Rep.)
"Bowery Blitzkrieg" (Rep.)
PARAMOUNT-NEWARK—(2,200) (28c-33c-44c-55c-66c-75c) 7 days. Gross: $14,300. (Average, $13,750)
"No Greater Sin" (University)
LITTLE — (299) (33c-44c-55c) 7 days. Gross: $1,700. (Average, $1,800)

Yorke Finishes Films

Emerson Yorke Studio has completed location production on the first three of five films on essential machine shop practice, designed for visual training use by the U. S. Office of Education for defense workers. The productions are being made under a U. S. Treasury Department contract.

Review

"Two Latins from Manhattan"

(Columbia—1941-'42 Release)

Hollywood, Oct. 1

A POORLY developed plot, containing many implausibilities, hampers this comedy with music. Jinx Falkenburg, model, makes an impressive film debut in the picture, in which she shares top billing with Joan Woodbury and Joan Davis.

In the story Miss Davis, press agent for a New York night club, has her two roommates impersonate Cuban dancers and singers, when the real artists are kidnapped. The pair make a hit, the real artists turn up, and all ends on a rather zany note.

Supporting the trio are Fortunio Bonanova, Don Beddoe, Marquita Madero, Carmen Morales, Lloyd Bridges, Sig Arno and Boyd Davis.

It is a modest production, supervised by Wallace MacDonald and directed by Charles Barton. Three songs—"The Kid with a Drum," "How Do You Say It?" and "Daddy"—are featured.

Running time, 65 minutes. "G."* VANCE KING

**"G" denotes general classification.*

'Business' $13,000 Gross in Cincinnati

CINCINNATI, Oct. 1.—"Unfinished Business" gave the RKO Albee $13,000, and "Navy Blues" took $10,500 at the RKO Palace. "Kisses for Breakfast" plus Earl Carroll Vanities on the RKO Shubert stage pulled $12,000.

Estimated receipts for the week ending Sept. 24-27:

"Unfinished Business" (Univ.)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $13,000. (Average, $12,000)
"Navy Blues" (W.B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,500. (Average, $10,000)
"Kisses for Breakfast" (W.B.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Earl Carroll Vanities. Gross: $12,000. (Average, $10,000)
"When Ladies Meet" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $5,500)
"My Life With Caroline" (RKO)
RKO GRAND — (1,500) (33c-40c-50c) 7 days. Gross: $4,800. (Average, $5,000)
"Alamoa of the South Seas" (Para.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $2,900. (Average, $4,500)
"A Very Young Lady" (20th-Fox)
"The Deadly Game" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Two in a Taxi" (Col.)
"Six Gun Gold" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Bad Lands of Dakota" (Univ.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4,000. (Average, $5,000)

'Kiss the Boys' Gets Good $8,300, Omaha

OMAHA, Oct. 1. — "Kiss the Boys Goodbye" pulled $8,300 at the Omaha for the town's best. The weather was clear and cool.

Estimated receipts for the week ending Sept. 23-24:

"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $3,900. (Average, $4,000)
"Kiss the Boys Goodbye" (Para.)
"Blackout" (U.A.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,300. (Average, $6,000)
"Belle Starr" (20th-Fox)
"Road Show" (U.A.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,100. (Average, $7,000)

Roach Sets Plans

HOLLYWOOD, Oct. 1.—"Hay Foot," an Army life comedy, will lead off Hal Roach's second series of "streamlined features," the producer announced today. It will be followed by "Brooklyn Orchid."

'Navy' at $10,000; St. Louis in Slump

ST. LOUIS, Oct. 1.—"Navy Blues," dualed with "Nine Lives Are Not Enough," drew $10,000 at the Fox.

Estimated receipts for week ending Sept. 25:

"When Ladies Meet" (M-G-M)
"Tillie the Toiler" (Col.)
LOEW'S—(3,162) (28c-39c-44c-56c) 6 days, 2nd week. Gross: $7,500. (Average, 7 days, $13,000)
"Here Comes Mr. Jordan" (Col.)
"Man at Large" (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,000. (Average, $11,500)
"Navy Blues" (W.B.)
"Nine Lives Are Not Enough" (W.B.)
FOX—(5,039) (30c-40c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"Sun Valley Serenade" (20th-Fox)
"Our Wife" (Col.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $4,200. (Average, $4,000)
"Hold That Ghost" (Univ.)
"Charley's Aunt" (20th-Fox)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $4,000. (Average, $2,600)

'Lady' High Gross Tally, Kansas City

KANSAS CITY, Oct. 1.—"Lady Be Good" and "Tillie the Toiler" scored $11,000 at the Midland to lead the city.

Estimated receipts for the week ending Sept. 24:

"Belle Starr" (20th-Fox)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $3,200. (Average, $2,200)
"Lady Be Good" (M-G-M)
"Tillie the Toiler" (Col.)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $11,000. (Average, $8,500)
"New York Town" (Para.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $7,000. (Average, $7,000)
"Dive Bomber" (W.B.)
ORPHEUM — (1,900) (28c-44c) 7 days. Gross: $7,000. (Average, $6,000)
"Under Fiesta Stars" (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: Tom O'Neil. The Hartnells, Carleton Emmy, Del Brese. Gross: $6,000. (Average, $6,000)
"Belle Starr" (20th-Fox)
UPTOWN — (2,000) (30c-44c) 7 days. Gross: $4,000. (Average, $3,000)

B & K Club Elects

CHICAGO, Oct. 1. — Edward F. Dlouhy, manager of the Gateway Theatre here, was elected president of the Balaban & Katz Employes Club at the annual election. Other new officers are Joseph L. Stout, first vice-president; A. Warren Jones, second vice-president; William Schwartz, third vice-president; Joseph Rehak, treasurer, and Joseph Norbert Miller, secretary.

ANOTHER REPUBLIC FAN MAGAZINE AD

WAVES OF ACCLAIM for a BIG PICTURE

EVERY one of the thousands UPON thousands who HOWLED and chuckled AND cheered Republic's "ROOKIES ON PARADE" IS waiting anxiously for the



NEW "service" comedy SMASH from the Republic STUDIOS . . . Well, it's here —AND advance reparts SAY that it tops "ROOKIES" by A baat-full of LAUGHS, sang HITS and ROMANTIC escapades!... THOSE "raakies" are sailing THE seven seas naw in "SAILORS ON LEAVE," AND the star-SPANGLED CREW includes SUCH hearties AS lavely SHIRLEY ROSS—who sings THOSE chanties as nabady ELSE can—WILLIAM LUNDIGAN (his

GAGS

GALS

LAUGHS

CINEMA star is rising fast OVER the horizan), and— FOR a braadside of raars— THERE'S CHICK CHANDLER and dauble-talking CLIFF NAZARRO. .plus RUTH DONNELLY, MAE CLARKE, TOM KENNEDY, MARY AINSLEE, BILL SHIRLEY, JANE KEAN and A flack af handsame . TARS and their sweethearts IN every part! .

A REPUBLIC PICTURE

SEC Reports Large Sale of Para. Bonds, Other Transactions

WASHINGTON, Oct. 1.—Officers, directors and beneficial holders of securities in seven motion picture corporations had deals in the stocks of their companies in August, it was reported today by the Securities and Exchange Commission in its first of two summaries for that month.

Largest transaction reported was the sale by the Manufacturers' Trust Company, New York, of 122,000 Paramount Pictures 1947 convertible debentures, leaving it with 3,202,800 debentures and 5,710 shares of preferred stock at the end of the month.

In the same company, Henry Ginsberg, Hollywood officer, reported the purchase of 200 shares of common stock to make his interest 700 shares.

Monogram Deals Reported

The second heaviest transaction reported was the acquisition by William Hurlbut, Detroit director in Monogram Pictures, of 3,829 shares of common stock through Monogram Pictures of Detroit, which held a total of 8,644 shares of common and 7,141 options for common at the close of August.

The Monogram report also showed the acquisition of 2,634 shares of common stock by Trem Carr, Hollywood director, increasing his interest to 22,792 shares and 22,823 options for common; and the sale of 300 shares of common by Samuel Broidy, Hollywood officer, reducing his holdings to 7,600 shares and 11,129 options, together with the sale of another 500 shares held through Monogram Pictures of Massachusetts.

Acquisition of another 83 shares of Loew's Boston Theatres common stock increased the interests of Loew's, Inc., to 118,509 shares. In Loew's, Inc., J. Robert Rubin, New York officer, sold 2,800 shares of common stock, reducing his holdings to 17,715 shares.

In Columbia Pictures, Samuel J. Briskin, Hollywood officer, bought 700 shares of common, giving him his first interest in the common.

Atlas Buys RKO

A report on RKO showed that Atlas Corporation, Jersey City, bought 400 shares of common and a similar amount of preferred, and held, at the end of the month, 822,023 shares of common, 327,812 warrants for common and 46,071 shares of preferred direct, and 268,230 shares of common through the American Company.

Preston Davie, New York director in Universal Pictures, bought 50 shares of common stock, giving him a total of 150 shares of common and 50 shares of preferred.

A report on the holdings of persons becoming officers of corporations showed that Peyton Gibson, elected an officer of Universal Corporation and Universal Pictures on August 7, held, in the former, 1,400 common voting trust certificates direct and 26,500 certificates and 111,283 warrants for certificates through the Standard Capital Corporation, and, in the latter, 230,927 shares of common, 220 shares of first preferred and 20,000 shares of second preferred through Universal Corporation.

Allied Ponders Its Minn. Law As Circuits Get Films

(*Continued from page* 1)

decision on the consenting distributors' action for an injunction to halt enforcement of the state anti-decree law. A decision is expected from the St. Paul district court next week.

The question was raised at the meeting whether Paramount, RKO and Minnesota Amusement had not violated the state law in the sale and exhibition of the pictures. Officials of the three companies, however, declined to divulge the nature of the deals that have been made, which left Allied in the dark as to the existence of a possible violation. In this connection it was pointed out that Paramount and RKO may sell to their affiliated theatres in any manner they choose, insofar as the consent decree is concerned, leaving open the possibility that they may have been sold the entire new season output of those companies, which would not be a violation of the Minnesota law. RKO has an interest in the Mort H. Singer Orpheum theatres here and in St. Paul. The Singer theatres also are tied up with Minnesota Amusement in a booking deal.

M-G-M new season product also is being exhibited here under a three-year franchise with Minnesota Amusement, which is not affected by the decree or the state law.

[That major companies were selling new season product in Minnesota was reported in MOTION PICTURE DAILY on Aug. 18.]

The Allied meeting also surveyed the product situation in the small towns throughout the state and decided it was not serious. Some "A" theatres in larger towns might be forced to close for lack of product if the situation is not clarified by Nov. 1, it was said, but a court decision on the distributors' injunction case is expected before then.

SWG Postpones Meet To Protest Inquiry

Hollywood, Oct. 1.—Plans of the Screen Writers Guild for a mass meeting of studio guilds and unions to protest the Senate subcommittee investigation of films has been postponed pending the outcome of Washington developments in which it appears possible that the inquiry may be halted, it was announced today.

MPTOA Committee Meets Wobber Today

(*Continued from page* 1)

week by Ed Kuykendall, MPTOA president.

Members of the special committee are Max A. Cohen of New York, Lewen Pizor, Philadelphia, and Herman Levy, New Haven.

The nature of the complaints from exhibitors has not been specifically described, although in his statement announcing the appointment of the committee Kuykendall said they were numerous and were directed at reallocation and non-delivery of pictures as well as at new season sales policies.

Efforts to reach Cohen yesterday for comment on the meeting with Wobber were unsuccessful as he was away from his office for the holiday.

Film Audit in 18 Keys

Film Audit Service has established branches in 18 "key" cities to date, virtually completing its plan of national organization, Samuel Hacker, general manager, stated yesterday.

Probers to Attend Premiere of 'Heaven'

(*Continued from page* 1)

tors Ernest W. MacFarland, Charles W. Tobey and C. Wayland Brooks.

Warner executives, press representatives and others will leave here for Washington on a special train today for the premiere, which is to be sponsored by the Advisory Committee of Protestant Clergymen, the announcement states. A number of Washington officials are expected to be present, including Sen. Arthur Capper of Kansas.

Those scheduled to be in the New York group are Mr. and Mrs. Harry Warner, Joseph Bernhard, Mort Blumenstock, Mitchell Rawson, Sam Shain, Martin Quigley, Jr., Ralph Budd, John Harkins, Jack Lait, Louis Sobol, John T. McManus, Lee Mortimer, Perc Westmore, Chester Bahn and Maurice Kann.

23d N. Y. Complaint Filed, Award Granted

(*Continued from page* 1)

Savoy takes pictures not played by the Ritz.

The twenty-third New York complaint was filed by the Rosyl Amusement Corp., operator of the Cameo, Jersey City, on clearance against all five consenting companies.

In the case of Loew's, the Cameo seeks product seven instead of 21 days after the Fulton. In the cases of RKO, Paramount and Warners, the Cameo seeks the elimination of seven days clearance over it now granted the Orient. Other adjustments of run also are sought.

Oscar Hanson Quits Nathanson Firms

(*Continued from page* 1)

dent of the Empire Universal company.

N. L. Nathanson resigned as president of Famous Players Canadian last Summer and has been developing the rival Odeon circuit throughout the Dominion. Loew's recently closed with FPC for its new season product. It was known that Odeon had sought a 50-50 split of the M-G-M pictures.

Savini Sees Decree As Boon to Astor

A business increase of 33⅓ per cent was recorded by Astor Pictures during the nine months ended Sept. 30 over the corresponding period last year, R. M. Savini, president, states.

Savini attributed the increase to the slowness of many theatres in closing new season deals under the consent decree method which, he said, has left increased playing time open for independent product.



Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 67 NEW YORK, U.S.A., FRIDAY, OCTOBER 3, 1941 TEN CENTS

N.E. Allied Ratifies Joint Industry Plan

Action Was Unexpected; Ohio Group Approves

Allied's New England affiliate, Independent Exhibitors, Inc., meeting in Boston yesterday, unanimously approved Allied States' plan for an industry joint conference committee, rejecting, however, the proposal that the committee study the possibiilty of making its setup "more elaborate and enduring."

This action, while approving the original proposal with a reservation, was unexpected in industry circles. It had been believed probable that since Nathan Yamins, chief opponent of the plan, is a leader in the New England unit, the meeting would reject the "unity" plan.

Independent Theatres Owners of Ohio, a leading Allied affiliate, also

(*Continued on page 4*)

Ernst Warns FCC on Link of Press, Radio

WASHINGTON, Oct. 2.—Morris L. Ernst, counsel for the American Civil Liberties Union, today warned the FCC that newspaper-owned radio stations were a threat to freedom of speech, possibly leading to Government ownership.

Appearing before the commission in his own behalf, Ernst was the sole witness as the commission resumed hearings on its inquiry into newspaper ownership of radio stations. Ernst told the committee that while he feared the dangers of newspaper con-

(*Continued on page 8*)

Chicago Operators Get 5% Wage Rise

CHICAGO, Oct. 2.—An over-all increase of 5 per cent was granted Chicago operators today following long negotiations on a union contract with circuits and independents.

The increase is over the former base rate of $2.10 to $3.09 per hour. It was a counter offer of Allied of Illinois, Balaban & Katz, Warners and the Schoenstadt circuit to the union's original demand for a 10 per cent increase. The new contract will be for one year, retroactive to Sept. 1.

'Yank In RAF' Leads With $78,500 Week; 'Dawn' Big at Para.

Grosses on Broadway ranged from poor to "terrific" this week as the fair weather continued and the World Series stirred up tremendous excitement among New Yorkers.

"A Yank in the R. A. F.," at the Roxy, led the Broadway parade. With a stage show including the Nicholas Brothers, the 20th Century-Fox film finished its first week last night with a smash gross estimated at $78,500.

Similarly unaffected by the Yankee-Dodger fray at the Yankee Stadium was the Paramount which for Wednesday reported its third biggest opening day on record with "Hold Back the Dawn" and Xavier Cugat's orchestra on the stage. The first day's gross was estimated at $9,900.

"Lydia" at the Radio City Music Hall, with the stage presentation continued strong through its second week, drawing an estimated $81,500.

(*Continued on page 5*)

FP Canadian Deny Hanson Affiliation

TORONTO, Oct. 2.—Denial was made today by Famous Players Canadian Corp. that Oscar Hanson would become identified with the company. The denial followed the announcement of Hanson's resignation as director of theatre operations for the N. L. Nathanson Odeon Circuit and withdrawal

(*Continued on page 4*)

MPTOA Meet With Wobber Is Delayed

The scheduled meeting yesterday of the MPTOA sales policy committee with Herman Wobber, 20th Century-Fox general manager of distribution, was postponed to an indefinite date when Wobber was called to the Coast unexpectedly. No arrangements for other meetings have been completed by the committee, which is charged with discussing exhibitor complaints against new season sales policies with distribution executives.

Majors Plan to Stop Mexico Service This Week If Peace Fails

Film service to Mexican theatres will be halted this weekend by the three major distributors still operating there in the event that a settlement of the Mexican film workers' strike has not been reached by Sunday, it was stated here yesterday. The action would shut off all major company product from Mexican theatres.

The three companies still unaffected by the strike are Universal, United Artists and 20th Century-Fox. The other five major distributors have been closed by the strike action. All distributors gave their accounts 30-

(*Continued on page 4*)

'Heaven' Opens in Capital Picture Praised by Clergy

By GERALD GROSS

WASHINGTON, Oct. 2.—The most distinguished gathering for a motion picture this capital has witnessed in years attended the premiere at Warners' Earle Theatre tonight of "One Foot in Heaven."

Thirteenth Street was choked with spectators straining for a peek at the celebrities. In the audience were Supreme Court Justices Murphy and Black, Attorney General Francis Biddle, Secretary of Agriculture Wickard, more than two score of Senators and numerous Congressmen, John D. Hertz, Edwin L. Weisl and Mrs. Helen Hertz Levy.

Sen. Ernest W. McFarland and C. Wayland Brooks, members of the

(*Continued on page 4*)

By SAM SHAIN

WASHINGTON, Oct. 2.—A first night audience in the nation's capital at the premiere of "One Foot in Heaven" at the Earle Theatre tonight heard Dr. Daniel A. Poling, editor of the *Christian Herald* and president of the international Christian Endeavor movement, who has just returned from London, declare that the making and showing of this picture marked a great day for Christianity.

"It is a day which has been sought," he said.

The picture, which he described as "an immortal epic," is indirect propaganda, he said, "for life and living with father and mother."

"I hope that at least half a hundred

(*Continued on page 4*)

Senate Probe Hearing May Be Postponed

Tobey to Be Absent from Capital Next Week

WASHINGTON, Oct. 2.—Possibilities that hearings of the Senate propaganda probe, scheduled for next Monday, may be postponed, were raised today when it became known that Senator Charles W. Tobey of New Hampshire would not be in Washington next week.

Chairman D. Worth Clark of Idaho also is currently out of the city but is expected to return before the beginning of the week after a speech in Fort Wayne tomorrow night.

It was made known definitely that Charles Chaplin, scheduled as a witness for next Monday, will not testify at that time and the committee has informed him that his appearance will be deferred. There was some doubt as to when Will Hays will be heard and the question of the examination of William Wilkerson also remains to be settled.

No definite information of plans for Monday could be obtained from the committee, but it is probable that hearings will be postponed until Senator Tobey can be present.

Johnston Reelected Monogram President

HOLLYWOOD, Oct. 2.—The Monogram board of directors at its annual meeting here today reelected W. Ray Johnston president, elected other officers and announced that sales this year to date are $400,000 more than last year for the same period.

Johnston announced that a loan for a substantial amount, which he did not disclose, was arranged with the Guaranty Trust Co. of New York.

Officers named in addition to Johnston are: Trem Carr, executive director in charge of production; Samuel Broidy, vice-president in charge of sales; Herman Rifkin, vice-president; Norton V. Ritchey, vice-president in charge of foreign sales; J. P. Friedhoff, secretary and treasurer; E. R. Mulchrone, and N. Witting, assistant secretaries, and C. Boyle, assistant treasurer.

The new board is made up of Johnston, Carry, Broidy, Rifkin, John W. Mangham, Howard Stubbins, William Hurlbut, Charles Trampe and Alton A. Brody.

Coast Flashes

Hollywood, Oct. 2

EXPLOITATION and merchandising plans for forthcoming 20th Century-Fox pictures will be planned in conferences to be held by Herman Wobber, general manager of distribution, and Hal Horne, who arrive tomorrow from New York, with A. M. Botsford, company director of advertising and publicity, and Harry Brand, studio publicity chief. Richard Condon accompanied Horne. They will also arrange for the Coast opening of "How Green Was My Valley."

•

Herbert J. Yates is due tomorrow from the East for conferences on Republic's quarterly product lineup and to get production of seven films under way during October.

•

Norman Moray, Warners' shorts subjects sales manager, is expected here Monday. The studio announced that it is planning a number of shorts "designed for the Latin American market."

•

Walter Pidgeon was set today by M-G-M to co-star with Greer Garson in "Miniver." William Wyler has been "borrowed" from Samuel Goldwyn to direct.

20th-Fox Showings Slated for Oct. 16, 17

Trade showings of four new season 20th Century-Fox films, "High Spot," "Moon Over Her Shoulder," "Small Town Deb" and "Swamp Water," have been scheduled for Thursday and Friday, Oct. 16 and 17, in 31 exchange cities, the company announced yesterday.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
DEANNA DURBIN — CHARLES LAUGHTON
"IT STARTED WITH EVE"
ON STAGE: "Dreams"—Russell Markert's clever, imaginative revue. Symphony orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

CHARLES BOYER
Olivia DeHAVILLAND — Paulette GODDARD
"HOLD BACK THE DAWN"
A Paramount Picture
PARAMOUNT
IN PERSON
XAVIER CUGAT AND BAND
JAY & LOU SEILER
TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW
ROXY
7th AVENUE 50th STREET

Doors Open 9 a.m.
RKO PALACE B'way & 47th St.
25c Plus Tax To 1 P.M.
ERROL FLYNN, FRED MacMURRAY
"DIVE BOMBER"
SONJA HENIE, GLENN MILLER and BAND
"SUN VALLEY SERENADE"

Personal Mention

JACK L. WARNER leaves this weekend for White Sulphur Springs, expecting to return to the studio about Oct. 20.

•

WILLIAM BRIANT, booker at the New Orleans 20th Century-Fox exchange, son of CLARENCE BRIANT, M-G-M exchange manager there, has been called into the Army.

•

ROBERT T. MARHENKE, manager of the Leader Theatre, Baltimore, has enlisted as a leader in the Baltimore District Defense Council.

•

LOUISE WILSON, secretary to LESTER POLLOCK at Loew's Rochester, in Rochester, N. Y., is confined to her home by illness.

ARTHUR LOEW, vice-president of Loew's, Inc., will have a birthday Sunday.

•

CAROL SAX of the Warner studios is in town.

•

MORTIMER D. SIKAWITT, president of Guaranteed Pictures, has had his name legally changed to MORTIMER D. SACKETT.

•

HARRY GRUVER of the New Theatre Co., Baltimore, and the Glen Theatre, Glen Burnie, Md., has returned from a vacation at Ocean City, Md.

•

ARTHUR BONNS leaves today for Boston.

Clearance Case Is Filed in Cincinnati

Cincinnati's fourth arbitration complaint of record and its first since last May was reported yesterday to American Arbitration Association headquarters here.

The complaint was filed by Central States, Inc., owner of the Olentangy Theatre, Columbus, against Loew's, RKO, 20th Century-Fox and Warners, and named the Hudson Theatre, Columbus, as an interested party. Contending that the present clearance and availability in favor of the Hudson is unreasonable, the complaint asks an arbitration award in favor of the Olentangy.

Reserve Decision on Philadelphia Complaint

PHILADELPHIA, Oct. 2. — Decision was reserved today on the clearance complaint of the suburban Hatboro Theatre against the five consenting companies and Warners Grove Theatre, after S. Eugene Kuen, Jr., arbitrator, denied a defense motion to dismiss.

Boston Club Plans Party for Charity

BOSTON, Oct. 2.—The local Variety Club will hold a theatre party Oct. 21 for the new Olsen & Johnson show, "Crazy House," the proceeds of which will go to the club's charity fund. It was also decided at the executive committee meeting to publish a year book at the end of the year. The new permanent quarters of the club are ready.

Exhibitor Veteran Dies

KANSAS CITY, Oct. 2.—W. Lee Vaughan, 68, who built the Art Theatre in 1923 in Kansas City, Kan., operated several theatres, but sold all these interests a few years ago, died here. He was known as a civic leader.

Ends Vaudeville Shows

INDIANAPOLIS, Oct. 2. — Vaudeville has ceased at the Lyric, 2,000-seat house recently acquired by Greater Indianapolis Amusement Co.

Start Camp Theatres

CAMP BLANDING, Fla., Oct. 2.—Foundations were laid here last week for eight permanent camp theatres costing a total of $500,000.

Freedom Show at Garden on Sunday

"Fun to Be Free," produced by the Stage, Screen, Radio and Arts Division of Fight for Freedom, will be held Sunday evening at Madison Square Garden. The show will be introduced with a half-hour concert, starring Jan Kiepura, Gladys Swarthout, and a chorus.

A patriotic pageant by Ben Hecht and Charles MacArthur will follow, staged by Brett Warren. After an intermission, Billy Rose will present a variety show of stars, to run one hour, and at 11 P. M., on a coast-to-coast radio hookup, a speaking program will begin, featuring Helen Hayes, Wendell Willkie, William S. Knudsen, Mayor F. H. LaGuardia and Herbert Agar. Miss Hayes and Burgess Meredith are co-chairman of the division.

8 RKO Houses Now Play Stage Shows

Charles W. Koerner, general manager of RKO Theatres, has announced stage shows added to the programs of the RKO Palace in Columbus, O., bringing to eight the number of circuit houses showing vaudeville and films.

The eight, including the Columbus house, are: Palace, Cleveland; Boston, Boston; Shubert, Cincinnati; Colonial, Dayton; Golden Gate, San Francisco; Empire, Syracuse, and Temple, Rochester.

Kansas Houses to Run Safety Trailer

KANSAS CITY, Oct. 2.—The first Fall meeting of the Kansas City, Kan., Theatre Managers Association was held this week, with all local theatres represented. The association decided to run a series of trailers on safety in all theatres, in cooperation with the Chamber of Commerce and the local Safety Council.

Join Television Station

PHILADELPHIA, Oct. 2. — Frank Thorpe Vreeland, who has spent the past 11 years in the film industry, has been named dramatic director of WPTZ, Philco television station here. Also added to the production staff were Ernest Walling, formerly production manager of the Barter Theatre, Abington, Va., and Gilbert Gould Brown, formerly an RKO sound engineer.

Newsreel Parade

OPENING World Series game at the Yankee Stadium gets top billing in all the newsreels. Parachute troops in Louisiana also get attention. The reels and their contents follow:

MOVIETONE NEWS, No. 8—Yankees vs. Dodgers. Parachute maneuvers in Louisiana. Premiere of "A Yank in the R. A. F." on Broadway. Cherokee [illegible] nears completion. Cotton-picking contest in Arkansas. "Corn Queen" in Indiana. Vyvyan Donner fashions. Airplane crash.

NEWS OF THE DAY, No. 206—Parachutists in Louisiana maneuver. Britain produces tanks for Russia. Mrs. Roosevelt chats with Mayor LaGuardia. "Mr. America" contest. Baby hippo in Chicago. World Series.

PARAMOUNT NEWS, No. 11—Canadian-U. S. peace salute in Blaine, Wash. Survivors of torpedoed ship arrive. Hippo born in Chicago. Navy's new otter ship model in Washington; production starts in Texas. New York's Aquarium closes. Louisiana maneuvers. World Series.

RKO PATHE NEWS, No. 11—World Series. Mrs. Roosevelt on new defense job in New York. Mahogany plane in Long Island. New York's Aquarium closed. Parachute maneuvers in Louisiana.

UNIVERSAL NEWSREEL, No. 20—Parachutists in Louisiana. Altitude device in Rochester, N. Y. Pilots graduate in Texas. Cavalry graduations at Fort Riley, Kan. Sons of Larry McPhail and Wendell Willkie in the navy. Seamen rescued in Iceland. Two new destroyers in Boston. Women defense workers in England. Goodwill ceremony in Blaine, Wash. Cotton-picking contest in Arkansas. Yankees-Dodgers in first game.

Gullette Gets New Preview Theatre

William Gullette, operator of the Preview Theatre at 1600 Broadway, has taken over the former private screening room of Gaumont British Pictures in the same building, as a second Preview Theatre. The Simplex Type E sound system, distributed by National Theatre Supply Co., has been installed in the new remodeled screening room, to match that in the first preview theatre.

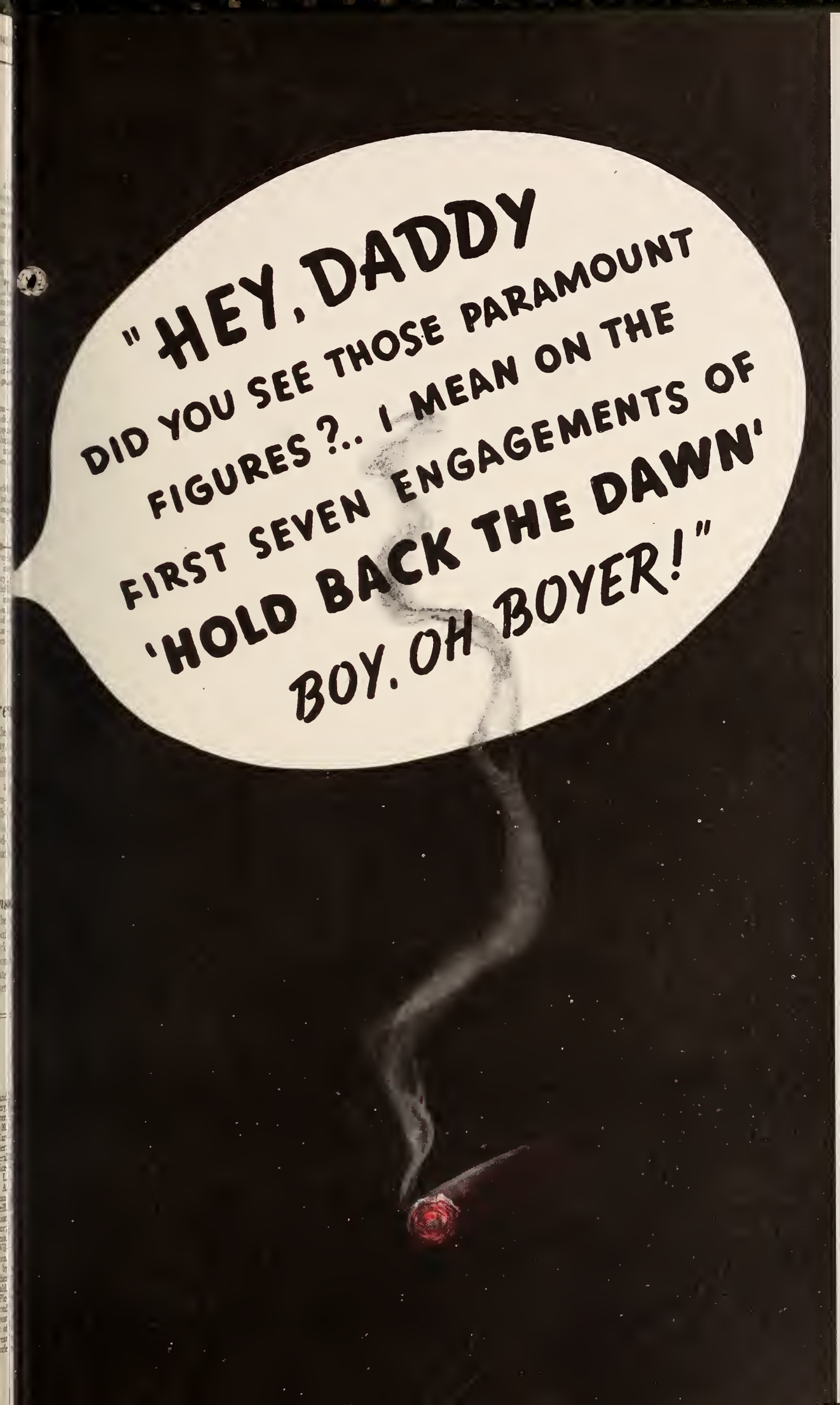
MPPDA Board Adjourns

The quarterly meeting of the MPPDA board of directors, scheduled for yesterday, was adjourned for lack of a quorum following a brief session of the board members present. A date for the adjourned meeting will be set later.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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OH, DADDY...

COMES THE "DAWN ...COMES BUSINESS!

BOSTON

"Hold Back the Dawn surges ahead of "Draft and "Zanzibar"— 3 weeks first run!

LOS ANGELES

"Dawn" runs neck and neck with "Draft"— booked for 3 weeks!

WORCESTER

"Dawn" tops "Zanzibar and is held over for 2d week.

PROVIDENCE

"Dawn" puts "Zanzibar gross in shade and is held over for 2d week.

WILKES BARRI

"Dawn" tops "Zanzibar.

SCRANTON

"Dawn" runs ahead of "Zanzibar."

TOLEDO

"Dawn" tops "Zanzibar.

N.E. Allied Ratifies Joint Industry Plan

(Continued from page 1)

unanimously approved the proposal yesterday, without reservation. Both organizations voted the national officers and board a vote of confidence.

Eleven regional units have ratified the local conference plan to date, with only one, Allied Theatre Owners of Conecticut, voting in opposition. Five units are still to be heard from.

Yamins vigorously attacked the plan at Allied's recent national convention in Philadelphia. He called it "poison," and particularly assailed Section 3 of the proposed resolution, looking toward a permanent committee, on the ground that the independent exhibitors would be outvoted by the groups representing other branches of the industry. Yamins is a former president of national Allied and now a member of the national board and chairman of New England Allied's executive committee.

Eastern Pennsylvania Allied also has rejected Section 3, while approving the resolution otherwise.

Several Reopening In Rochester Area

ROCHESTER, Oct. 2.—New activity in the theatre business marks the Fall season in the Rochester area. The Majestic has been temporarily reopened one night a week. Later the house will be redecorated and operated on a double film policy. The Embassy, according to plans, will be used from time to time for special films.

In nearby Trumansburg, work has started on a new theatre to be operated by Cornell Theatres, Inc. The new house, to be known as the Cayuga, will seat 400. The Clifton Springs Theatre in Clifton Springs has been leased and reopened by Schine, according to C. C. Young, Schine district manager. Robert Emory, formerly of the Riverside in Buffalo, is the new manager. Alterations have been made.

Plan First Runs at Boston Repertory

BOSTON, Oct. 2.—A contract has been signed between the M. & P. Metropolitan Theatre and the Repertory Theatre, by which the Repertory will show first run features day and date with the Metropolitan.

The Metropolitan will change policy, featuring stage shows as well as first run pictures. Xavier Cugat and his orchestra will inaugurate the new policy on Nov. 14. The Repertory for the past few years has been used as a legitimate house and as a fourth run film theatre. The last play was "Life with Father" which ran about six months.

Start Louisiana Theatre

NEW ORLEANS, Oct. 2.—Construction of a new 1,100-seat theatre in Gretna, La., to cost an estimated $75,000, and to be operated by Berenson Theatres, Inc., began yesterday. Completion is expected by Feb. 15, 1942.

'Heaven' Opens in Capital Picture Praised by Clergy

(Continued from page 1)

Senate subcommittee investigating the film industry, and two secretaries of Sen. D. Worth Clark, subcommittee chairman, were reported to have been among those present.

Among representatives of the industry were Harry M. Warner, Joseph Bernhard and S. Charles Einfeld, as well as Martha Scott and Elizabeth Fraser of the picture's cast, and Irving Rapper, its director. The audience also included a group of trade press and newspapermen from New York.

Acceptances to the preview also came from the Rev. Noble C. Powell, Episcopal dean of Washington; Bishop A. W. Leonard and numerous other church leaders as well as military officials.

The picture will open its regular run at the Earle tomorrow.

File Song Suit Pleas

Cross applications to dismiss the complaint and the answer in the $50,000 damage suit of B. G. de Sylva and Joseph Meyer against M. Witmark and Sons, music publishers, were filed yesterday in N. Y. Supreme Court. The action charges sale of rights to the song, "California, Here I Come," for the 20th Century-Fox film, "Rose of Washington Square," at an inadequate price.

(Continued from page 1)

million persons will see this picture," he declared. "We should do everything we can for it."

Seated in the audience were two members of the Nye-Clark subcommittee—Sen. Ernest W. McFarland of Arizona and Sen. C. Wayland Brooks of Illinois.

Dr. Poling reviewed for the audience the manner of the making of the picture, and after introducing Florence Eldridge, wife of Fredric March; Martha Scott and Elizabeth Fraser, the latter two of the film's cast, and the widow of the Rev. William A. Spence, Methodist minister whose life story is depicted in the film, he brought to the stage a surprise celebrity—none other than Harry M. Warner, president of Warner Bros. Pictures; and the audience of ministers, Government officials, and society and civic personalities heard Warner say:

"I am glad we made this picture. These are perilous times and Christianity is fighting to survive. I know that Christianity will survive, because Christianity is faith and faith is good.

"It makes no difference what your faith is because every faith is good."

The New York group of Warner executives and newspapermen who came here for the premiere will return to New York tomorrow.

Short Subject Reviews

"A Letter from Home"
(United Artists)

A propaganda subject from England which approaches the war's effects on Britons at home in a calm and wholly impressive fashion, this is distinguished by the expert direction of Carol Reed, who has made the film move slowly, tensely and realistically. Its main concern is with the manner of living to which English women have adjusted themselves, only commenting casually when a siren whines, a bomb is dropped and a building shattered. It is to be distributed by United Artists on a non-profit basis. Running time, 17 mins. Release, Oct. 3, 1941.

"Old MacDonald Duck" (Disney Cartoon)
(RKO)

The Walt Disney cartoon makers have taken a simple situation like Farmer Donald Duck milking Clementine Cow and have given it a clever treatment that is certain to have audiences laughing. Running time, 8 mins. Release, Sept. 12, 1941.

"Pampas Paddock" (Sportscope)
(RKO-Pathe)

This is an assortment of horse-breeding and racing scenes taken in Argentina and Chile and should be of special interest to devotees of the sport, since both republics are known for their fine stock. Running time, 9 mins. Release, Sept. 5, 1941.

"Half Shot at Sunrise" (All Star Comedies)
(Columbia)

Roscoe Karns, a prankster in this little comedy, finds much to laugh at in his antics but they and the reactions of his victims may not be considered too funny by the audience in the theatre. The film uses the old-line situations—pie throwing and the like—in its effort to draw laughs. Running time, 16 mins. Release, Sept. 4, 1941.

"Community Sing, No. 2"
(Columbia)

Here the audience is asked to accompany Lew White at the organ and the "Song Spinners," unseen choral group, in a few tunes, such as "Amapola," which by this time have lost some of their value. Where audiences have reacted favorably to such fare in the past, this should be appropriate. Running time, 10 mins. Release, Sept. 5, 1941.

"Buenos Aires Today" (Columbia Tour)
(Columbia)

This is the usual type of travelogue, touring the Argentine capital with stopovers at big buildings, the subway and such. Also, it takes time out to look at the city's means of solving traffic problems, and the cattle industry. Color would have enhanced the film, but as it stands rates as fair entertainment. Running time, 10 mins. Release, Sept. 26, 1941.

Mexican Industry Now Employs 12,300

Mexico City, Oct. 2.—The importance of the film industry to Mexican economy is indicated by figures released on the business.

The industry directly supports 12,300 workers with an average annual payroll of about $2,225,000. Gross receipts of the 1,009 active theatres in the country average $13,300,000 a year. Of the the atre total, 67 are in the Federal District, which includes Mexico City.

Companies to Stop Service to Mexico

(Continued from page 1)

day notice of cessation of film service last month in compliance with contract provisions. The 30-day period will expire Sunday.

Meanwhile, home office foreign departments have been advised by their Mexico City offices that negotiations for a settlement of the strike are progressing satisfactorily, with Mexican government officials participating. Arthur Pratchett, Central American manager for Paramount, was called to Mexico City from Havana a few days ago to attend the settlement negotiations.

New Film Regulations In Mexico Effective

MEXICO CITY, Oct. 2.—New regulations governing supervision of the picture industry have gone into effect. They regulate the commercial exhibition of films throughout Mexico and make national Federal approval or disapproval. Grade letters are assigned to pictures—"a," those suitable for children, adolescents and adults; "b," for adolescents and adults; "c," adults only, and "d," adults only under special authorization of the Federal Film Supervision and Censoring Department.

Exhibitors must abide strictly by these letter gradings in all screenings and are liable to fines of from $22.50 to $225 for violations.

FP Canadian Deny Hanson Affiliation

(Continued from page 1)

from other Nathanson companies, in which he held executive posts.

It was declared there are no negotiations being conducted with a view to the appointment of Hanson to the Famous Players circuit. Hanson had operated the subsidiary Ontario group of theatres for some years until his resignation last Spring as president of which had been known as Hanson Theatres Corp.

WB Salesman Resigns

PHILADELPHIA, Oct. 2. — Harry F. Bachman, local Warner salesman in the Scranton, Pa., territory, resigned today to return to Washington where he will manage the Circle Theatre. The vacancy will be filled by Ben Bache.

Named PRC Salesman

ALBANY, Oct. 2. — Sam Milberg, formerly a Republic salesman and now operating the Ritz, Scotia, has been appointed salesman for Producers Releasing Corp. and will travel out of Albany.

Yank In RAF' Leads With $78,500 Week; Dawn' Big at Para.

(Continued from page 1)

was replaced yesterday by Univer-l's "It Started With Eve." At the rand, "The Maltese Falcon" opens day with Jan Savitt's orchestra, suc-eding the two-week stand of "Navy ues" and Eddie Duchin's orchestra. atter show's final week tally is mated at $34,000.

"Honky Tonk" opened at the Cap-l yesterday following "Lady Be ood," which had a second week esti-ated at $14,500.

"Tanks a Million," Hal Roach's treamlined feature," which runs 50 inutes, will play the Criterion be-inning Oct. 9 on a single feature asis, it was disclosed yesterday. How Green Is My Valley," 20th Cen-ry-Fox film, is scheduled to open at ie Rivoli Oct. 23.

TATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933

f MOTION PICTURE DAILY, published daily, cept Saturdays, Sundays and holidays, New York, N. Y., for Oct. 1, 1941.

TATE OF NEW YORK }
OUNTY OF NEW YORK } ss.:

Before me, a Notary Public in and for e State and county aforesaid, personally ppeared Theo. J. Sullivan, who, having en duly sworn according to law, deposes nd says that he is the Business Manager the MOTION PICTURE DAILY and that e following is, to the best of his knowledge nd belief, a true statement of the owner-hip, management, etc., of the aforesaid ublication for the date shown in the above ption, required by the Act of August 24, 912, as amended by the Act of March 3, 933, embodied in section 537, Postal Laws nd Regulations, printed on the reverse this form, to wit:

1. That the names and addresses of the ublisher, editor, managing editor, and busi-ess managers are: Publisher and Editor-Chief, Martin Quigley, 1270 Sixth Ave-ue, N. Y. City; Editor, Sam Shain, 1270 ixth Avenue, N. Y. City; Managing ditor, Alfred Finestone, 1270 Sixth Ave-ue, N. Y. City; Business Manager, Theo. Sullivan, 1270 Sixth Avenue, N. Y. City.

2. That the owner is: Quigley Publishing ompany, Inc., 1270 Sixth Avenue, N. Y. ity; Martin J. Quigley, 1270 Sixth Avenue, . Y. City; Gertrude S. Quigley, 1270 Sixth venue, N. Y. City; Martin S. Quigley, 270 Sixth Avenue, N. Y. City; Colvin W. rown, 1270 Sixth Avenue, N. Y. City.

3. That the known bondholders, mort-gees, and other security holders owning r holding 1 per cent or more of total mount of bonds, mortgages, or other se-urities are: None.

4. That the two paragraphs next above, iving the names of the owners, stock-olders, and security holders, if any, con-ain not only the list of stockholders and ecurity holders as they appear upon the ooks of the company but also, in cases here the stockholder or security holder ppears upon the books of the company s trustee or in any other fiduciary rela-ion, the name of the person or corporation or whom such trustee is acting, is given; lso that the said two paragraphs contain tatements embracing affiant's full knowl-dge and belief as to the circumstances and onditions under which stockholders and ecurity holders who do not appear upon he books of the company as trustees, hold tock and securities in a capacity other han that of a bona fide owner; and this ffiant has no reason to believe that any ther person, association, or corporation has ny interest direct or indirect in the said tock, bonds, or other securities than as so tated by him.

5. That the average number of copies of ach issue of this publication sold or dis-ributed, through the mails or otherwise, o paid subscribers during the twelve months preceding the date shown above is 227.

THEO. J. SULLIVAN,
Business Manager.

Sworn to and subscribed before me this 5th day of September, 1941.

ANNA MILBERT,
(SEAL) Notary Public N. Y. Co. No. 210, Reg. No. 2M401.
(My commission expires March 30, 1942).

Review

"Sailors on Leave"

(*Republic*—1941-'42 *Release*)

THIS is a story of a sailor who hates women in general and a lovely night club signer who hates sailors in particular. William Lundigan is the sailor and Shirley Ross, the girl. Although the complications which ensue are familiar enough, the dialogue is spiced with a number of lively lines and Cliff Nazarro amuses with his double-talk.

Lundigan, inspired by his shipmates, Nazarro and Chick Chandler, sells "shares" in an inheritance he is to get if he marries before a certain date. As the deadline draws near, the entire fleet has a financial stake in the marriage. Lundigan pretends to fall in love with Miss Ross, certain that his courtship will be futile.

She, however, is intrigued by his novel efforts to escape every time he is alone with her, and finally falls in love with him. Lundigan tries to effect an escape by having Miss Ross jailed but the sailors insist that he marry the first girl available. Everything ends happily, however, when Lundigan succeeds in stalling the marriage beyond the deadline, finally marries Miss Ross and pays off the fleet with money recovered as a reward for a stolen bracelet which manages to insinuate itself into the plot. Albert S. Rogell directed to make the most of a weak story. Albert Cohen produced.

Running time, 71 minutes. "A."*

EDWARD GREIF

**"A" denotes adult classification.*

'Jordan' Is Detroit Top With 'Harmon'

DETROIT, Oct. 2. — The weekend personal appearance of Evelyn Keyes, in "Here Comes Mr. Jordan," and Tom Harmon, star of "Harmon of Michigan," helped the Fox gross $20,000 with the dual bill. The Michigan took $14,000 with "Manpower" and "The Reluctant Dragon."

Estimated receipts for the week ending Sept. 25:

"Sun Valley Serenade" (20th-Fox)
"Mystery Ship" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $9,000. (Average, $5,500)
"They Met in Bombay" (M-G-M)
"Cheers for Miss Bishop" (U. A.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"Here Comes Mr. Jordan" (Col.)
"Harmon of Michigan" (Col.)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $20,000. (Average, $15,000)
"Manpower" (W. B.)
"The Reluctant Dragon" (RKO)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,000. (Average, $12,000)
"Dive Bomber" (W. B.)
"Father Steps Out" (Mono.)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $8,500. (Average, $7,000)
"Lady Be Good" (M-G-M)
"Down in San Diego" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $10,000)

'Aloma' Tallies Neat $15,000 in Baltimore

BALTIMORE, Oct. 2. — Business showed some improvement. "Aloma of the South Seas" tallied $15,000 at the Stanley. "Our Wife" and a stage show took $16,000 at the Hippodrome.

Estimated receipts for the week ending Sept. 25:

"Lady Be Good" (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $12,500. (Average, $10,000)
"Unfinished Business" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c)7 days, 2nd week. Gross: $10,000. (Average, $9,000)
"Belle Starr" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $9,000. (Average, $7,000)
"Aloma of the South Seas" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $15,000. (Average, $12,000)
"Our Wife" (Col.)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show with "Miss America" in person; Lew White, as M.C., and three other acts. Gross: $16,000. (Average, $14,000)

Cleve. Grosses Up, 'Ladies' 'Sun' Strong

CLEVELAND, Oct. 2.—George White's "Scandals" helped "Smiling Ghost" score $18,000 at RKO Palace, which led for the third straight week since the reopening of its vaudeville season.

"When Ladies Meet" gave Loew's State $13,500 and "Sun Valley Serenade" attracted a like amount to Warners' Hippodrome as all houses went over average.

Estimated receipts for the week ending Sept. 25-26:

"Dive Bomber" (W. B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $4,500. (Average, $4,000)
"Sun Valley Serenade" (20th-Fox)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $13,500. (Average, $11,000)
"Smiling Ghost" (W. B.)
RKO PALACE — (3,100) (33c-47c-55c) George White's "Scandals" on stage. 7 days. Gross: $18,000. (Average, $13,500)
"When Ladies Meet" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $13,500. (Average, $11,000
"Aloma of the South Seas" (Para.)
LOEW'S STILLMAN — (1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)

'Jordan' at $10,200 Good in Pittsburgh

PITTSBURGH, Oct. 2.—In a slow week the Senator drew $10,200 with "Here Comes Mr. Jordan," and a holdover of "Sun Valley Serenade" at the Fulton took $5,500.

Estimated receipts for the week ending Sept. 26:

"Sun Valley Serenade" (20th-Fox)
FULTON—(1,700) (30c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)
"Aloma of the South Seas" (Para.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $11,500. (Average, $13,000)
"Dive Bomber" (W.B.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $2,300. (Average, $3,000)
"Here Comes Mr. Jordan" (Col.)
SENATOR—(1,800) (28c-39c-55c) 7 days. Gross: $10,200. (Average, $5,000)
"Father Takes a Wife" (RKO)
STANLEY—(3,600) (28c-44c-66c) 7 days. On Stage: Vaughn Monroe's orchestra, Anita Louise, Joe and Jane McKenna, Trixie. Gross: $19,000. (Average, $18,000)
"When Ladies Meet" (M-G-M)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $5,400. (Average, $5,000)

'Belle Starr' Hits $17,500, Frisco Best

SAN FRANCISCO, Oct. 2. — "Belle Starr" paired with "Charlie Chan in Rio" drew $17,500 at the Fox.

Estimated receipts for the week ending Sept. 23-25:

"My Life With Caroline" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $16,500. (Average, $15,000)
"Major Barbara" (U.A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days, 2nd week. Gross: $6,800. (Average, $8,000)
"Our Wife" (Col.)
"Cracked Nuts" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $8,800. (Average, $8,000)
"When Ladies Meet" (M-G-M)
"Whistling in the Dark" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $9,500. (Average, $11,500)
"Belle Starr" (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,500. (Average, $16,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Down in San Diego" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week (moved over from Fox). Gross: $6,200. (Average, $6,000)
"Kukan" (State Rights)
CLAY—(400) (15c-35c-45c) 7 days, 8th week. (Gross: $900. (Average, $1,000)
"Lady Be Good" (M-G-M)
"Bullets for O'Hara" (W.B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)

'Kildare,' Dorsey $23,200 in Buffalo

BUFFALO, Oct. 2. — "Dr. Kildare's Wedding Day" and Tommy Dorsey and his orchestra on the stage drew a big $23,200 at the Buffalo.

Estimated receipts for the week ending Sept. 27:

"Dr. Kildare's Wedding Day" (M-G-M)
BUFFALO — (3,489) (35c-55c) 7 days. Tommy Dorsey and his orchestra on stage, with Frank Sinatra, Buddy Rich, Ziggy Elman, Connie Haines, The Pied Pipers, Paul Winchell and the Condos Brothers. Gross: $23,200. (Average, $12,000)
"Dive Bomber" (W.B.)
"Charlie Chan in Rio" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days, 2nd week. Gross: $7,900. (Average, $7,500)
"Sun Valley Serenade' (20th-Fox)
"Down in San Diego" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $6,800. (Average, $6,800)
"The Little Foxes" (RKO)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Gross: $10,000) (Average, $7,500)
"Our Wife" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
LAFAYETTE—(3,000) (30c-44c) 7 days. Gross: $6,300. (Average, $6,300)

'Serenade' $11,000 Indianapolis Lead

INDIANAPOLIS, Oct. 2.—"Sun Valley Serenade" did $11,000 at the Indiana. "Dressed to Kill" shared the bill with it. The weather was warm.

Estimated receipts for the week ending Sept. 26:

"Unfinished Business" (Univ.)
"Moonlight in Hawaii" (Univ.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $7,300. (Average, $6,500)
"Sun Valley Serenade" (20th-Fox)
"Dressed to Kill" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $11,000. (Average, $7,000)
"Lady Be Good" (M-G-M)
"Tillie the Toiler" (Col.)
LOEW'S—(2,800 (28c-33c-44c) 7 days. Gross: $8,300. (Average, $8,000)
"Citizen Kane" (RKO)
"Scattergood Baines Meets Broadway" (RKO)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $3,000. (Average, $5,500)

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
Sept. 5	Mystery Ship (D) *Paul Kelly* (1941-42)	(1941-42 Releases) Lady Be Good (M) 202 *Ann Sothern Robert Young*	Gentleman from Dixie (D) *Jack LaRue* (1941-42)		Bad Man of Deadwood (O) 058 (1940-41)	Citizen Kane (D) 201 *Orson Welles* (1941-42)	Charlie Chan in Rio (D) 206 *Sidney Toler* (1941-42)		Badlands of Dakota (O) (1941-42) Man from Montana (O) 6061 (1941-42)	Smiling Ghost (C) 102 *Wayne Morris* (1941-42)	Reg'lar Fellers 125 (PRC) *Sarah Padden* (1940-41)
Sept. 12	Harmon of Michigan (D) *Tommy Harmon* (1941-42)	Dr. Jekyll and Mr. Hyde (D) 201 *Spencer Tracy Lana Turner*	Let's Go Collegiate (D) *Frankie Darro* (1941-42)		Outlaws of Cherokee Trail (O) 161 3 Mesquiteers (1941-42)	Parachute Battalion (D) 202 (1941-42)	Belle Starr (D) 207 *Gene Tierney R. Scott* (1941-42)	Major Barbara (D) Tanks A Million (C) (Streamliner) (1941-42)	Unfinished Business (C) *Irene Dunne* (1941-42)	Navy Blues (M) 103 *Anne Sheridan* (1941-42)	Dangerous Lady 115 (PRC) *N. Hamilton* (1940-41)
Sept. 19	Prairie Stranger (O) 2005 (1940-41) Ladies in Retirement (D) (1941-42)	Down in San Diego (D) 203 *B. Granville Dan Dailey, Jr.*	The Driftin' Kid (O) *Tom Keene* (1940-41)	Hold Back the Dawn (D) 4103 *Charles Boyer* (1941-42)	The Apache Kid (O) 171 *Don Barry* (1941-42)	Lady Scarface (D) 203 *Judith Anderson* (1941-42)	We Go Fast (D) 208 *Lynn Bari* (1941-42)	International Lady (D) *George Brent Ilona Massey* (1941-42)	Sing Another Chorus (M) Kid from Kansas (D) A Girl Must Live (D) (All 1941-42)	Nine Lives Are Not Enough (D) 104 (1941-42)	
Sept. 26	You'll Never Get Rich (M) *Fred Astaire* (1940-41)	Honky Tonk (D) 204 *Clark Gable Lana Turner*	Gun Man From Bodie (O) *Buck Jones* (1941-42)	Buy Me That Town (D) 4102 *Lloyd Nolan* (1941-42)	Death Valley Outlaws (O) 172 *Don Barry* (1941-42)	Father Takes a Wife (C) 204 *Menjou-Swanson* (1941-42)	Last of the Duanes (O) 209 Man at Large (D) 210 (1941-42)	Lydia (D) *Merle Oberon Alan Marshal* (1941-42)	It Started With Eve (M) *Deanna Durbin* (1941-42)	Sergeant York (D) 101 *Gary Cooper* (1941-42)	
Oct. 3	Two Latins from Manhattan (M) *Jinx Falkenberg* (1941-42)	Married Bachelor (C) 205 *Robert Young Ruth Hussey*	Stolen Paradise (D) *Leon Janney* (1941-42)		Sailors on Leave (C) 109 *Wm. Lundigan Shirley Ross* (1941-42)	Bandit Trail (O) 281 *Tim Holt* (1941-42)	A Yank in the R.A.F. (D) 211 *Power-Grable* (1941-42)	New Wine (M) *Ilona Massey Alan Curtis* (1941-42)	Mob Town (D) Dead End Kids Tough Guys (1941-42)	Law of the Tropics (D) 105 *C. Bennett* (1941-42)	
Oct. 10	Texas (O) *Wm. Holden Claire Trevor* (1941-42)	Smilin' Through (M) 206 *J. MacDonald Gene Raymond*	Tonto Basin Outlaws (O) *Range Busters* (1941-42)		Mercy Island (D) 110 *Ray Middleton Gloria Dixon* (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Great Guns (C) 212 Riders of the Purple Sage (1941-42)		Never Give a Sucker An Even Break (C) *W. C. Fields* (1941-42)	International Squadron (D) 106 *Ronald Reagan* (1941-42)	Jungle Man 126 (PRC) *Buster Crabbe* (1941-42)
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Feminine Touch (C) 207 *R. Russell Don Ameche*	Top Sergeant Mulligan (D) (1941-42)	Nothing But the Truth (C) 4101 *Bob Hope* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)		Burma Convoy (D) South of Tahiti (D) (1941-42)		Hard Guy 205 (PRC) *Jack LaRue* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell Binnie Barnes* (1941-42)		Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Gauchos of Eldorado (O) 162 3 Mesquiteers (1941-42)	Dumbo (Disney Feature) 293 (1941-42)		Corsican Brothers (D) *D. Fairbanks, Jr. Ruth Warrick* (1941-42)	Flying Cadets (D) *William Gargan Edmund Lowe* (1941-42)		Billy the Kid Wanted 257 (PRC) *Buster Crabbe* (1940-41)
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)		Here Come the Marines (D) *Wallace Ford* (1941-42)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)			Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)		Mr. Celebrity 114 (PRC) *Joseph Scary* (1941-42)
Nov. 7	The Stork Pays Off (C) *M. Rosenbloom Rochelle Hudson* (1941-42)			Skylark (C) *C. Colbert Ray Milland* (1941-42)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)		Sundown (D) *Gene Tierney Bruce Cabot*	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)		Lone Rider Fights Back 168 (PRC) *George Houston* (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)				Sierra Sue (O) 143 *Gene Autry Smiley Burnette* (1941-42)				Paris Calling (D) *Scott-Bergner* (1941-42)		Miracle Kid 213 (PRC) *Vicki Lester Tom Neal*
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)					Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)			Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)		

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"I am writing you in regard to getting fillers for the Product Digest as you know the new film year is coming along very shortly. I would like to get two of the grey booking fillers and one of the yellow availability and playdate record fillers. Please send as soon as possible and bill me whatever the cost may be.

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Havana, Illinois.

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Roxborough, Philadelphia

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MOTION PICTURE HERALD

Affiliates Slow in Voting on Ascap; More Delays Seen

Ascap contracts from NBC and CBS affiliates were reported by the networks yesterday as coming in "slowly." Some doubt was expressed by officials that it would be possible to have Ascap music back on the air by Oct. 15, the date tentatively set in the CBS letter to station affiliates.

Meanwhile, the Ascap board yesterday again approved the unlicensed use of Ascap music on football broadcasts by the networks this weekend. Similar action was taken by the board for broadcasts of last week's games.

An Ascap official said that, while there still is no definite indication of contracts with the major networks being closed, no criticism of the NBC and CBS procedure was voiced at yesterday's board meeting. It was stated that Ascap is satisfied that the delay is unavoidable and that the networks will make renewed efforts early next week to hasten acceptance of the new Ascap contracts by their affiliated stations if the volume of acceptances received by that time is not up to expectations.

Networks, meantime, report no difficulty with sponsors because of the lack of the Ascap catalogues. It was pointed out that business has been steadily ahead of 1940, itself a record year, and that, with the end of the conflict in sight, there was no reason for holding off, in any event.

BMI announced that Ed Craney's three Montana stations had taken out BMI licenses. Craney, long a stormy petrel in the music dispute, operates KGIR, Butte; KRBM, Bozeman, and KPFA, Helena. These bring the number of stations using BMI music to a total of 716.

Seven New Stations Sign With Mutual

Seven new stations have joined the Mutual network, four of the North Central Broadcasting System, bringing to 182 the number of MBS outlets. The four North Central stations are KTRI, Sioux City, and KVFD, Fort Dodge, both Iowa; WJMS, Ironwood, Mich., and WATW, Ashland, Wis. The others are WGBF, Evansville, Ind.; WBBB, Burlington, N. C., and WEIM, Fitchburg, Mass., the last an affiliate of the Yankee and Colonial networks.

NBC Blue Gets Two New Stations

Two stations in Manchester, N. H., will affiliate with NBC today, WMUR as a basic supplementary outlet for the Blue network, and WFEA the same for the Red.

Chapman Doing Script

Tedwell Chapman, now in the East from Hollywood, is doing a screen treatment for Alfred T. Mannon of Cine-Grand Productions. The story, tentatively titled, "Gargantua, Ltd.," is a jungle story to be filmed in Mexico.

York Promotes Heckert

Edgar F. Heckert of the York Ice Machinery Corp., which manufactures air-conditioning equipment for theatres, has been advanced from head of the service department to special assistant to the general works manager.

Off the Antenna

FM receivers now in operation around the country total about 70,000, according to a survey made by FM Broadcasters, Inc. Armstrong licensees are turning out about 1,000 units a day, according to report, and manufacturers expect the 100,000 mark in sets in operation to be passed by a considerable margin by Christmas.

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Purely Personal: *Frank Danzig, WMCA production man, will give a course in radio production at Long Island University. . . . Richard Krolik has been named assistant to Lester Gottlieb, Mutual publicity director, succeeding Ed Nickel. . . . Bill Sonneman, Jr., son of the assistant to Charles Van Loan, WOR auditor, will appear on the Mutual Playhouse show Saturday.*

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WJZ will celebrate its 20th anniversary on the air Sunday.

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A new commercial program which will get under way Sunday, 5:15-5:30 P.M., over 78 Mutual stations will feature music from Disney pictures exclusively. Parker Pen Co. will sponsor the show which will be called "Walt Disney's Song Parade." Music from "Dumbo," Disney's newest film, will be includeed.

• • •

Gene Autry, *Republic Picture western star, and also featured player in "Melody Ranch," will be tendered a party by CBS at Toots Shor's restaurant next Wednesday evening just before the opening of the Rodeo at Madison Square Garden, in which he appears.*

Theatre Changes

Fox Intermountain Plans House

HELENA, Mont., Oct. 2. — Fox Intermountain plans a $200,000 theatre here, seating 1,200. The work will start shortly, according to Jack Edwards, circuit manager here.

House Sold at Rodeo, Cal.

RODEO, Cal., Oct. 2. — The Rio Theatre here has been sold by Coniglio Brothers to C. A. J. Church.

To Re-Equip House in Conn.

EAST HAVEN, Conn., Oct. 2.—New equipment will be installed at the Capitol, recently acquired by Irving C. Jacocks, Jr., operator of the Branford.

Open California House

LAFAYETTE, Cal., Oct. 2. — The Joseph Blumenfeld Circuit has opened its new 400-seat Park Theatre here, eight miles east of Oakland.

Reopen Connecticut House

THOMPSONVILLE, Conn., Oct. 2.—Peter Perakos has reopened the 900-seat Franklin, Thompsonville, for weekend operation only, with 28-cent top admission, and combined first and second run policy. Perakos also operates the full-time 985-seat Strand.

Building San Antonio Theatre

SAN ANTONIO, Oct. 2.—A theatre is being erected here by E. D. Edwards of Oklahoma.

Plans New Orleans Drive-In

NEW ORLEANS, Oct. 2. — James Cooper, night club operator here, is planning construction of a combination drive-in and outdoor theatre near the lake front. The theatre will have both drive-in facilities and seats for anyone who cares to use them.

Manages House in Maine

CALAIS, Me., Oct. 2. — A change has been made in the managership at the State here, a Lockwood-Gordon house. Edward Haskins has returned as manager. He succeeds Arthur Laplante, resigned.

Connecticut Theatre Changes

The Tremont at Ansonia, Conn., and the Victory in New Haven, have reopened, the latter operated by Mike Tomasino. The New Colony, at Sound View, Conn., has closed for the Winter.

Manages Tampa House

TAMPA, Oct. 2.—H. B. Fuller, Jr., associated with the Sparks, Orlando, and the Paramount, Melbourne, during the past 11 years, has been made manager of the Tampa, succeeding Vincent B. Wade.

Improve Spokane House

SPOKANE, Oct. 2.—Improvements estimated at $2,000 were made at the Granada in advance of its recent reopening on a new first-run, single-bill policy. H. D. McBride is manager.

Join Evergreen Staff

SPOKANE, Oct. 2.—Robert Anderson and Robert Polley have been added to the staff of Evergreen Theatres Corp.

Manages Newport House

NEWPORT, R. I., Oct 2.—Ralph Tully, formerly manager of the M. & P. house in Jamaica Plain, Mass., has succeeded David Dugan, resigned, as manager of the Strand theatre here. The Strand also is part of the M. & P. circuit.

Managing House in Conn.

NEWINGTON, Conn., Oct. 2.—John Sirica, former manager of the Lido, Waterbury; Palace, New Britain, and Strand, Thompsonville, has been appointed manager of the New Newington Theatre here, operated by Fred Quatrano, Robert Schwartz and William Sirica.

Poorman Promoted

ST. CLAIR, Oct. 2.—Charles Poorman, manager of the Hollywood, Mark Rubinsky house, here, and formerly manager of the circuit's Lyric, Newsmanstown, has been promoted to circuit road manager.

More Than 100 to Attend Col. Meet In Chicago Today

CHICAGO, Oct. 2.—More than 100 members of Columbia's sales organization from the home office and 15 Midwestern and Southern exchanges will attend the company's three-day regional sales meeting opening here tomorrow.

Those scheduled to attend in addition to the home office delegation headed by Abe Montague, general sales manager, announced earlier, include the following from the field organization:

Chicago: Phil Dunas, C. W. Phillips, T. Greenwood, F. Flaherty, M. Delano, W. J. Kahl; *Minneapolis*: H. J. Chapman, M. E. Mazur, I. Marks, D. H. Conley, M. W. Sgutt, A. L. Aved, W. Evidon; *Omaha*: J. H. Jacobs, E. Dunas, J. Zide, R. Adler, M. Shackelford; *Milwaukee*: O. J. Ruby, T. J. MacEvoy, S. R. Chapman, D. V. Chapman; *Des Moines*: M. H. Evidon, A. B. Leake, M. Goodman, O. Miller, H. B. Thomas; *Detroit*: Carl Sbalit, H. R. Schilds, R. F. Cloud, G. L. McCoy, C. H. Townsend, C. Baker.

Indianapolis: W. G. Craig, H. Kaufman, C. Butler, A. J. Gelman, L. Sbubnell, I. Hanover; *St. Louis*: C. D. Hill, L. A. LaPlante, J. Bradford, C. Ferris, R. Mortensen, D. E. Pratt; *Kansas City*: B. C. Marcus, T. Baldwin, Stanley Goldberg, H. S. Stulz, S. Frank, I. Altshuler; *Atlanta*: S. Moscow, R. J. Ingram, B. A. Wallace, U. T. Koch, A. Rook, J. S. Laird; *Memphis*: J. J. Rogers, H. Christman, E. P. Doherty, C. Kornegay; *New Orleans*: H. Duvall, J. Winberry, J. J. Fabacher and R. A. Kelly; *Dallas*: J. B. Underwood, H. Craver, W. L. Penn, J. L. McKinney, A. M. Whitcber, O. L. Wilkes, F. J. Barry; *Oklahoma City*: C. A. Gibbs, J. A. Smith, S. Gibbs, J. P. Hudgens; *Charlotte*: J. Gins, G. Roscoe, R. D. Williamson, C. Patterson.

'Ladies' and 'Jordan' Capture Mpls. Lead

MINNEAPOLIS, Oct. 2. — "Here Comes Mr. Jordan" at the Orpheum and "When Ladies Meet" at the State were the box office leaders here this week, taking $8,500 and $9,000, respectively.

Estimated receipts for the week Sept. 26-27:

"Dance Hall" (Fox)
GOPHER — (998) (28c) 7 days. Gross: $2,400. (Average, $2,500)
"Three Cockeyed Sailors" (U. A.)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,200. (Average, $1,600)
"Here Comes Mr. Jordan" (Col.)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross: $8,500. (Average, $5,500)
"Hold That Ghost" (Univ.)
CENTURY—(1,600) (28c-39c-44c) 7 days. 2nd week. Gross: $6,500. (Average, $4,000)
"When Ladies Meet" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $9,000. (Average, $6,000)
"Three Sons O' Guns" (W. B.) 3 days
"Very Young Lady" (Fox) 3 days
"A Dangerous Game" (Univ.) 4 days
"They Meet Again" (RKO) 4 days
ASTER—(900) (15c-28c) 7 days. Gross: $1,700. (Average, $1,800)

Ernst Warns FCC on Link of Press, Radio

(*Continued from page* 1)

trol over the air, he had even greater fear of Government ownership of radio.

Ernst said that radio stations generally refused to accept controversial programs on what he described as "the time-worn excuse that they were libelous or smacked of scandal." Charging that there was a domination of radio by advertising, he urged that some means be found through which the FCC would have some power over program material.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 68 NEW YORK, U. S. A., MONDAY, OCTOBER 6, 1941 TEN CENTS

Browne, Bioff Trial Begins On Wednesday

IATSE Leaders Indicted Under Racket Law

Trial of George Browne, president of the IATSE, and William Bioff, Hollywood leader of the union, in the U. S. District Court here on Federal anti-racketeering charges is scheduled to begin Wednesday, it was reported in trade circles yesterday. Originally scheduled to open today, it is now stated that the trial has been put off two days because of the illness of the presiding judge. Browne and Bioff were charged with extorting about $550,000 from four major film companies under threats of strike.

Subpoenas were served recently on major company executives and studio labor leaders, ordering them to appear to testify for the Government in the

(*Continued on page 4*)

Customs Examining All Imported Films

Every foot of film brought to this country from abroad, regardless of origin, is being examined by U. S. Customs officials at ports of entry, it was learned over the weekend.

Louis Jackson, president of Anglo-American Films, Ltd., who is here from London to set distribution deals for 15 Rock Studio productions, disclosed that the local Customs office has released only one of the pictures in the first week that prints have been in the possession of the office. The picture approved is "Pimpernel Smith," starring Leslie Howard. Mr. Jackson screened for local distribution officials over the weekend and then forwarded to Hollywood.

Epidemic Brings Ban On Camden Children

CAMDEN, N. J., Oct. 5.—Until the infantile paralysis danger here subsides, the Warner Circuit and the independent Victoria Amusement Co. circuit announce they will voluntarily refuse admission to children under 15 years. The Board of Education will ask other theatres to do likewise.

Selznick Concludes New United Artists Deal; May Buy Stock

HOLLYWOOD, Oct. 5.—David O. Selznick today rejoined United Artists. The producer signed an agreement which embodies new arrangements under which he may elect to become a stockholder in the company. It is also stated that under these new arrangements, Selznick must receive certain production financing.



David O. Selznick

The contract, under the terms of which Selznick will make from two to four pictures for United Artists, is one of the longest on record. Negotiation of the terms has been going on for several months.

Edward Raftery of the New York law firm of O'Brien, Driscoll and

(*Continued on page 4*)

Mexico Strike Peace Is Near, N. Y. Hears

Home office foreign department officials were advised late Saturday by their Mexico City representatives that a settlement of the Mexican film employes' strike was imminent and that there was an excellent possibility of an agreement before Sunday midnight when the three distributors still operating in Mexico were scheduled to stop film service to theatres.

The stoppage would be in accord with the 30-day notice given theatres by the distributors last month in compliance with exhibition contracts and

(*Continued on page 4*)

Lehman Corp. Shows Holdings in Films

Three film company stocks are among the shares held in the portfolio of the Lehman Corp., one of the largest investment trusts, a report of that company as of Sept. 30, shows. Robert Lehman is president of the corporation. The motion picture stocks are Paramount, 2,200 common; Warner Bros., 10,000 common; and RKO, 1,600 preferred.

Chicago Exhibitors Discuss Scale Rise

Chicago, Oct. 5.—Independent exhibitors in Chicago and surrounding territory are are discussing the possibility of increasing admissions in view of the new Federal tax. At an Illinois Allied meeting Friday some exhibitors suggested increasing scales from 15 cents plus two cents tax to 18 cents plus the tax, while 20-cent houses would increase to 25 cents, including two cents tax. The matter is to be discussed further.

J. E. Flynn, M-G-M district manager, addressed Friday's meeting on M-G-M's sales policy.

Senate Probe Is Postponed To October 13

WASHINGTON, Oct. 5.—Further hearings in the motion picture propaganda probe being conducted by a subcommittee of the Senate have been postponed until Oct. 13.

Chairman D. Worth Clark of the subcommittee in a CBS radio address Saturday night said that radio was "eminently fair" but declared that the subcommittee has "procured evidence" that the film industry is a monopoly, although the extent to which war propaganda has been utilized in films is undetermined, he said. The Clark-Nye subcommittee has not yet inquired into war propaganda in radio although under the resolution by which it was created that was one of its specific purposes.

Last night, an overflow rally of the Fight for Freedom, Inc., attended by 20,000 persons at Madison Square Garden under the auspices of the Screen, Stage and Arts division of that group, confirmed unanimously Actors' Equity resolution calling for immediate dissolution of the Nye-Clark subcommittee. Wendell Willkie presided at the meeting. On the program were Helen Hayes, Lynn Fontanne, Albert Spalding, Ella Logan, Eddie Cantor, Burgess Meredith, Jack Benny, Tallulah Bankhead, George Jessel, Ethel Merman, Jan Kiepura, Bill Robinson, Carmen Miranda, and Commentators Wythe Williams, Major George Fielding Eliot, George Hamilton Coombs and Johannes Steel.

Minn. Anti-5 Statute Held Constitutional

Appeal by Six Companies Believed Certain

ST. PAUL, Oct. 5.—Judge Hugo O. Hanft, in Ramsey County District Court here yesterday, upheld constitutionality of the Minnesota anti-block-of-five law and denied a petition by six major film companies for a temporary injunction to halt its enforcement.

It was considered a virtual certainty that the decision would be appealed to the State Supreme Court, and, if necessary, to the United States Supreme Court. In a 29-page memorandum Judge Hanft said that 10 or 20 years ago the law might have been unconstitutional, but that in the light of economic and social change, it must be ruled valid.

Allied Theatre Owners of the Nothwest hailed the decision as a "signal victory" and called a meeting of its Legislative Committee for tomorrow, when it is expected the committee will demand that the majors seek relief from the consent decree

(*Continued on page 4*)

Scout Reports of 'U'-Nathanson Split

TORONTO, Oct. 5.—Empire-Universal Films, Ltd., may lose the Universal Pictures franchise for Canada, it is reported here following the resignation of Oscar R. Hanson as president of the company. Empire-Universal is an N. L. Nathanson distributing company.

F. J. A. McCarthy, Universal's Canadian sales manager, has been here

(*Continued on page 4*)

'Valley' May Be Sold Singly or Roadshown

HOLLYWOOD, Oct. 5.—Indications that 20th Century-Fox may sell "How Green Was My Valley" singly as a roadshow attraction or as a block of one at advanced rentals were seen Friday in the announcement that an experimental run of the picture would start Oct. 23 at the Rivoli in New York at advanced prices. The Oct. 23 date is ahead of any release date contemplated for the film, it was said.

Britain May Defer Theatre Usherettes

London, Oct. 5.—An amicable solution of the labor problem of British exhibitors is seen in the willingness of authorities here to accept trade committee recommendations for the cancellation or deferment of Government service for girl ushers, on the plea of exhibitors. The move, started here, is seen by observers as a highly successful method of meeting the problem.

Mich. Allied Opens Convention Today

DETROIT, Oct. 5.—Allied Theatres of Michigan will hold its 22nd annual convention beginning tomorrow for three days at the Hotel Book-Cadillac here. A vote is to be taken on national Allied's joint conference proposal. Abram F. Myers, Allied States chairman, and other leaders are scheduled to address the gathering.

The new Federal admissions tax and operations under the industry consent decree will be other topics for discussion. Ray J. Branch, president, of Hastings, Mich., will have charge of the meeting.

Officials expect an attendance of more than 100 exhibitors. The opening event is a dinner meeting of the board tomorrow evening. The first general business session will be Tuesday afternoon. Sessions, including the election of officers, will be held Wednesday morning and afternoon, with the annual banquet in the evening. Following the banquet the delegates will be guests at a Variety Club party at the hotel.

RKO Sets Interstate And St. Louis Deals

RKO has closed a deal with St. Louis Amusement Co. for its first two blocks of new season features, and with Interstate Circuit of Texas for the first block, Ned E. Depinet, distribution head, has announced.

A total of 39 houses is included in the St. Louis Amusement deal, negotiated by A. W. Smith, Jr., sales manager, and Cresson E. Smith, Western sales manager, for RKO and Harry Arthur for the circuit. The Interstate deal, involving 150 Texas houses, was negotiated by Sol Sachs, RKO Dallas manager.

Wobber Plans Tour Of All Exchanges

Herman Wobber, general manager of distribution for 20th Century-Fox, now on the Coast, is expected to leave from there about the middle of this month on a tour of all exchanges of the company. He plans to spend at least a day in each city, it was said. The trip, his first such tour in about a year, will require about five weeks and will wind up in New York.

Mallard in Own Practice

William Mallard, formerly general counsel for RKO, has opened an office for the general practice of law at 60 Broadway,

Personal Mention

OSCAR MORGAN, Paramount short subject sales head, left Friday for Kansas City, Cleveland and Toronto. He was accompanied by MONROE GOODMAN, his assistant. MANNY REINER, Paramount short subject publicity director, left Saturday for Toronto.

•

PHIL REISMAN, RKO foreign distribution manager, has returned from a Latin American trip.

•

ROSALIND TERKER has announced her engagement to BUDD GETSCHAL of Paramount's exploitation staff.

•

NORMAN H. MORAY, short subjects sales head for Warners, has gone to the Coast for a week's visit prior to a tour of exchanges. He is scheduled to return here next month.

EARL HUDSON, president of United Detroit Theatres, and JACK KEEGAN were in town last week.

•

MR. AND MRS. MURRAY SILVERSTONE left for the Coast on Saturday by train.

•

JOHN MORONEY of Dallas is a New York visitor.

•

LARRY SCHANBERGER, owner and manager of Keith's, Baltimore, is in town.

•

DAVE BIEDERMANN returned to Beverly Hills over the weekend.

•

NORMAN CLARK, film critic for the Baltimore *News-Post*, visited in Norfolk over the weekend.

Music Hall Is Host At Party for Koster

Radio City Music Hall officials were hosts to Henry Koster, director of Universal's "It Started With Eve," at a cocktail party in the Music Hall studio apartment on Friday.

Among those present were: Nate J. Blumberg, Gus Eyssell, J. Cheever Cowdin, Charles D. Prutzman, J. J. O'Connor, Damon Runyon, J. H. Seidelman, Sam Shain, John Joseph, Lou Pollock, J. J. Jordan, B. B. Kreisler, Dan Kelley, Fred L. Lynch, Morris Alin, Larney Goodkind, Fred Meyers, Anthony Petti, Ruth Morrow, Dave Garber and Mrs. Garber, C. C. Margon, Kelcey Allen, Lester Grady, Len Golos, Fortunat Baronat, Henry Linet, Marion Orford, Adolph Schimel, A. J. Sharick and C. R. Kirby.

Warner Bros. Drops 8 Scheduled Films

HOLLYWOOD, Oct. 5.—Warner Bros. over the weekend announced the elimination of eight pictures which were previously planned for the new season. These are "Kickoff," "Night Warning," "Across the Atlantic," "Fortunes of Mamie Q," "Murder with Music," "Three of a Kind," "The Black Gate" and "Man Killer." It was explained that the eight pictures had been planned as low budget films.

Birdwell in London

Russell Birdwell has arrived in London for a stay of five or six weeks on personal business. He went across on a British bomber.

Para. Partners Hold Impromptu Session

A group of Paramount theatre partners in town primarily to attend the world's series held an impromptu business meeting at the Paramount home office at the weekend.

Among those attending the conferences held with Barney Balaban, Paramount president, and Leonard Goldenson, head of theatre operations, were R. J. O'Donnell of Interstate Circuit, Martin Mullin and Sam Pinanski of M & P Theatres, Hunter Perry of Virginia, and A. H. Blank and Ralph Branton of Tri-States Theatres.

IA Unions Resume Pact Talks Today

The IATSE studio unions will resume negotiations today with producers' labor representatives at the offices of Pat Casey following a recess in the negotiations since last Tuesday.

In the interim, the producers' representatives have been studying the various demands of the studio locals and have prepared counter proposals and specific responses to those demands. The replies will be submitted to the locals' representatives beginning with today's meeting.

Casanave Opens Office

Charles L. Casanave, formerly vice-president and general manager of National Screen Accessories, has opened offices in the Bank of Manhattan Building, according to an announcement. He stated that he has acquired the rights to a new neon effect sign.

Theatre Authority Ends Free Shows By Union Actors at Military Camps

Members of the actors' union affiliated with the Associated Actors and Artistes of America are forbidden to perform without pay at any Army or Navy camp, under an order issued by the Theatre Authority of New York and Hollywood.

Alan Corelli, executive secretary of the Theatre Authority in the East, stated Saturday that resolutions to that effect have been adopted by both branches. Free shows have been provided at camps under an understanding with Government officials that such a plan would be in effect for an emergency period, but that after a year the Government would provide compensation for the actors. However, he said, nothing has been done.

As a result, Corelli stated, the shows at all camps will be on a paying basis. Soldiers at Fort Monmouth, N. J., will pay 10 cents admission beginning tonight.

Sylvaine Comedy to Open Here Tonight

"All Men Are Alike," a new comedy by Vernon Sylvaine, opens at the Hudson tonight with Bobby Clark and Reginald Denny in the top roles. Lee Ephraim is the producer and Harry Wagstaff Gribble the director.

No Early Closing Seen in Englan

LONDON, Oct. 5.—Despite plans f joint industry-Government discussio over a proposed film theatre curfe it is understood any sudden move the Government affecting all theatr in the country is unlikely.

Following the postponement of proposed conference between the Ci matograph Exhibitors Association a the Ministry of Transport, the CE now indicates it will go directly to t Prime Minister. However, it is l lieved the Home Office will not set a general curfew. It is indicated t Government will warn local autho ties which have set early closing hou that such action is considered hasty the Government. Officials in the Mi lands have ordered theatres to cl at 7 P.M. beginning next month.

Associated British Net Equals $770,00

LONDON, Oct. 5.—Associated Briti Pictures has reported for the ye ended March 31, last, operating pro of £1,427,157 (approximately $5,70 000), which is an increase of abo $25,000 over last year. Net profit f the most recent period was £192,2 (approximately $770,000). No co mon dividend was declared.

Wisconsin ITPA To Meet on Nov.

MILWAUKEE, Oct. 5.—The ITP of Wisconsin has set Nov. 4 and as the dates for its annual conventio to be held at the Hotel Schroed here. Charles W. Trampe, Milwa kee, is entertainment chairman for t affair.

Bette Davis to Coast

Bette Davis, who has been recupe ating at her New Hampshire hom left for California over the weeken

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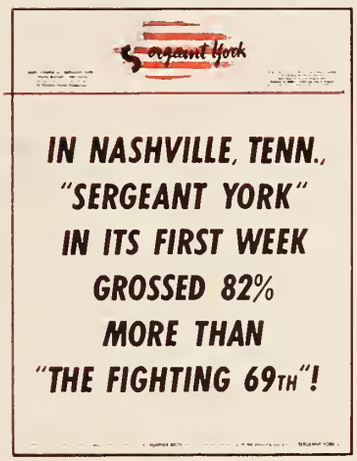
Sergeant York

GARY COOPER in "SERGEANT YORK"
Walter Brennan • Joan Leslie
George Tobias • Stanley Ridges
A Howard Hawks Production

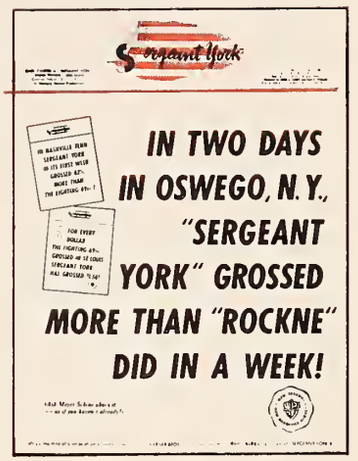
Original Screen Play by Abem Finkel & Harry Chandlee
and Howard Koch & John Huston
Based Upon the Diary of Sergeant York
Produced by JESSE L. LASKY and HAL B. WALLIS
Music by Max Steiner • A Warner Bros.-First Nat'l Picture

(This is the fourth of a series of advertisements designed by WARNER BROS. to acquaint the industry with the amazing success of "SERGEANT YORK")

And here's one for the books!







'SERGEANT YORK' OPENED IN HARTFORD, NEW HAVEN, BRIDGEPORT, WORCESTER, SPRINGFIELD AND IN EACH CASE BROKE ALL-TIME RECORD INCLUDING THOSE OF 'SINGING FOOL' WHICH SEEMED IMPOSSIBLE TO TOP---UNTIL TODAY!"

(Thanks for the kind words, I. J. Hoffman! We're happy, too!)

NEW SEASON! • NEW BOXOFFICE HIGHS! • WARNER BROS.

Browne, Bioff Trial Begins On Wednesday

(*Continued from page* 1)

action. Among those subpoenaed were: Nicholas M. Schenck, Loew's; Barney Balaban, Paramount; W. C. Michel, 20th Century-Fox; George J. Schaefer, RKO, and Pat Casey and Fred Pelton, producers' labor contacts.

Labor leaders subpoenaed included: Frank Carothers, William Hutchinson, Joseph Touhy, Joseph Cambrianni, Joseph N. Weber, Ed Brown and Walter Redmond.

Several postponements of the trial have occurred already. Mathias Correa, United States Attorney for this district, will prosecute the action. Martin Conboy is attorney for Browne.

Subsequent to the original Federal Grand Jury indictment obtained by Correa, Browne was ordered by the court to produce books and records of the IATSE, sought by Correa in the course of the Grand Jury investigation of the union's financial affairs.

The Government is trying to trace an alleged special assessment against union members which is estimated by Correa's office to amount to $6,500,000 annually, based on an average salary of $50 weekly for the union's 125,000 members throughout the country.

AFL May Act On Browne Post Today

WASHINGTON, Oct. 5.—Possibilities that the reported plan of the American Federation of Labor executive council to drop George E. Browne, president of the IATSE, from the vice-presidency of the national body is to be pushed, were seen tonight in the annual report of the council to be submitted to the 61st annual A. F. of L. convention at Seattle tomorrow.

In that report, the council recommends that the number of vice-presidents, increased from eight to 15 in 1934, be reduced to 13. The reason given for the proposal is that it has been found increasingly difficult to secure a quorum at sessions of the council, because of the demands on the time of the vice-presidents. No mention is made of any particular official whom it is proposed to drop if the change is approved.

There is no mention of motion pictures in the report, but the council recommends that studies be made to determine how the use of radio programs may be more widely employed for the dissemination of labor news.

New Selznick Deal With U. A. Is Closed

(*Continued from page* 1)

Raftery, represented United Artists in the transaction. Attorney Lloyd Wright and Dan O'Shea of the Selznick office acted for the latter.

It is also reported that under the terms conditioned by Selznick, if he should elect to become a stockholder, after a given time, a change of the company's name would be considered.

Reviews

"Mob Town"

(*Universal*—1941-'42 *Release*)

Hollywood, Oct. 5

HERE are some of the Dead End Kids and some others in another of those Tenth Avenue melodramas wherein the youngsters fascinated by the monetary display of criminals learn in due time and by experience what is wrong with crime as a vocation. In this number they do somewhat more of their rough-and-tumble scrapping than is average for their exercises and they also make their points a bit more convincingly. The film is a mite above par for the series.

Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsly, Dick Foran, Anne Gwynne, Samuel S. Hinds, Darryl Hickman, Victor Killian, Truman Bradley, John Butler and John Sheehan are in the cast.

Ken Goldsmith, producer, and William Nigh, director, get quite a lot out of their material, slipping most noticeably at midpoint where a continuity gap suggests the leaving out, inadvertently or otherwise, of some melodramatic incidents which might have given the picture more impact. The tale concerns some kids whose ambitions toward gangsterism are thwarted in time and to the end of reformation by a friendly policeman.

Running time, 62 minutes. "G."* ROSCOE WILLIAMS

"Three Sons O' Guns"

(*Warners*—1940-'41 *Release*)

THIS little comedy has a group of "names" to offer which should be chiefly responsible for what results it might bring. The characters of the title and the situations in which they are involved are intentionally preposterous for laugh purposes, but are at times overdone and fall a bit short in achieving the desired result.

The cast members, well known in most circles, include Irene Rich, Wayne Morris, Tom Brown, Marjorie Rambeau and William T. Orr. Miss Rich and Miss Rambeau are mother and aunt, respectively, of the three irresponsible and mentally deficient boys, who are well-meaning but unproductive. The spirited playing helps to make some parts of the picture amusing. It is brought to a close with the sons victimized by the draft people, and Miss Rich, a widow, trotting off to the marriage bureau with a wealthy businessman. Ben Stoloff directed.

Running time, 65 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Scout Reports of 'U'-Nathanson Split

(*Continued from page* 1)

twice in the past few weeks, reportedly conferring on the new developments.

No Discussions, Say 'U' Officials

Universal home office officials stated over the weekend that there have been no discussions concerning any possible change in franchise arrangements for Canada.

Responsible home office executives stated that Universal has taken the position that its product may not be used to strengthen any circuit's position in Canada and that it will insist upon continued servicing of all of the company's established theatre accounts of good standing in the Dominion, and to this end will require submission of all contracts to the home office for approval.

"We will not approve contracts which involve the selling away from any long-established and acceptable customer of Universal," a home office executive stated.

W. B. Buys Para. Story

HOLLYWOOD, Oct. 5.—Warner Bros. has announced the purchase of "Country Lawyer," Bellamy Partridge story, from Paramount, and its sequel, "Big Family."

Adjourn Clearance Hearing in St. Louis

ST. LOUIS, Oct. 5.—Hearing of the clearance complaint of Victor Thien, operator of the Palm, North St. Louis, was adjourned to Thursday after former Circuit Judge J. Wesley McAfee, arbitrator, heard the plaintiff.

Thien stated that his availability on Paramount and 20th Century-Fox product depended on whether the competing Aubert and Union theatres were operated by Fanchon & Marco's St. Louis Amusement Co. He testified that in no instance could he obtain pictures from the two companies until after the Aubert had played them, despite the fact that the house is farther from the Palm than it is from the Union. Despite this, he testified, he is required to wait 33 days after the second-run Union and seven days after the third-run Aubert.

He testified that his admission scale is approximately the same as the Union's and higher than the Aubert's. He is asking for availability ahead of the latter.

Phila. Clearance Hearing Continued

PHILADELPHIA, Oct. 5.—The hearing on the clearance complaint of Columbus Stamper, operator of the Great Northern here, was continued until Oct. 9 after an all-day session Friday. Possibly, it was said, to forestall an appeal of the case after its adjudication, all parties agreed that any rules made by the arbitrator shall be binding.

Minn. Anti-5 Statute Held Constitutional

(*Continued from page* 1)

before Judge Goddard in New York in order to sell in Minnesota according to the terms of the Minn[illegible] law. The statute requires sale of an entire season's product en bloc, with the privilege of canceling up to 20 per cent of the block. Exchanges in Minneapolis have been compelled to sell by blocks of five in their territory outside Minnesota, while some have sold no pictures in this State.

Their reported sales in the State, in blocks of five, or through distributor-theatre affiliations, will be scrutinized by the Allied Legislative Committee, it was reported, with a view to demanding action by law enforcement authorities.

Meanwhile the suit of the majors for a permanent injunction and final ruling of the law's constitutionality is still pending in Ramsey County District Court. It is expected this action will be deferred.

The Hanft ruling read: "Had the instant statute been enacted a decade or two ago, under decisions recognizing the inviolability of the right-to-contract doctrine, it would very likely have been held unconstitutional as a temerarious interference with the right of property and contract and the law of supply and demand. But the world moves, this country progressively.

"Within the last decade, vast social and economic changes have taken place with astonishing rapidity. Government found it necessary to take a decisive hand to meet new conditions. Modern problems had to be met by legislative, executive and the judicial departments of government. Laws originally sustained under police power as to safety and morals are now sustained upon the additional ground of health and 'welfare' of the people, and the term welfare has in the last two or three years vastly expanded to meet existing social and economic conditions."

As a "remarkable" example of how courts will adjust themselves to meet existing conditions, Judge Hanft pointed to the women's minimum wage law case in New York. He pointed out the U. S. Supreme Court in 1923 ruled against the law, but reversed itself in 1937.

Mexico Strike Peace Is Near, N. Y. Hears

(*Continued from page* 1)

would end all major company film service to Mexican theatres.

Five companies, Columbia, Loew's, Warners, RKO and Paramount, have been closed by strike action and Universal, United Artists and 20th Century-Fox would discontinue service in line with their notices to exhibitors, effective as of last midnight.

Bernhard to Chicago Meet

Joseph Bernhard, general manager of Warner Theatres, and Harry Goldberg, director of advertising and publicity for the circuit, leave early this week for Chicago to preside over a meeting of Warner theatre managers.

The Pegler Method

When Arthur James Pegler, famous reporter, and father of Westbrook Pegler, also a famous reporter, began his metropolitan career many years ago in Chicago, his first and trial assignment was to get a picture of a certain beautiful lady, much in the news—but hard to get because the news was hard.

Every star reporter in Chicago had tried. They had searched the galleries, rifled trunks, bribed servants, stalked relatives. The skill of a dozen men, notable, even notorious, for their gimlet cunning failed.

An hour after Mr. Pegler got the assignment he was in the office with the picture. A half hour later it was in the paper, and his job was set.

As the edition rolled, the managing editor approached the new reporter's desk. "If you do not mind telling," he ventured with a deference extraordinary in that rude office, "I'd be interested to know how you got that picture." The whole city room was listening in a hush.

Certainly, sir," Mr. Pegler respondèd, with a tinge of something in his voice — "I just asked her for it."

The star picture chaser of them all cried out in pain. "We never thought of that!" The direct method — the Pegler method did it. Many another signal performance is just that simple, just that direct. Easy does it, but it's something hard to see.

For instance, six years ago Republic Pictures Corporation was launched, in the highly competitive, exceedingly complex motion picture industry, with the simple, direct conviction that money could be made making pictures on which theatres could make money.

Republic had nothing else to do but tend to business, and no way to make money except by tending to business. The program worked. It still works. It grows. Each year Republic has gained more accounts, more contracts. Republic has as many as 11,000 customer accounts.

It seemed possible that a great many things were being done at large expense and often much trouble that had nothing at all to do with what reached the screen.

Republic started to work with nothing to do but to tend to business, and no way to make money except by tending to business. Putting all it had on the screen where the customers could get it.

REPUBLIC PICTURES CORPORATION

BUY U. S. DEFENSE BONDS

Short Subject Reviews

"Beauty and the Beach"
(Headliner Bands)
(Paramount)

Here is something different from the usual run of band shorts with Jones Beach and Powers models in bathing suits forming the background instead of the customary bandstand. Johnny Long and his orchestra, with Bob Huston, Helen Young and the Sunshine Trio are the featured attractions. Among the songs are "By the Sea," "Pass the Bounce," "Sweet Moments," "Kiss the Boys Goodbye" and "White Star of Sigma Nu." A delight to the ear and eye. Running time, 10 mins. Release, Sept. 26, 1941.

"Popular Science, J1-1"
(Paramount)

Mechanical methods milady uses for slenderizing the figure are featured. All kinds of rollers and similar contraptions are shown in operation. The short can be exploited for women interested in reducing and should provide the men in the audience with an interesting insight of what the ladies go through for beauty's sake. Also shown is the organization of a motorized unit of the Army and a number of gadgets. Running time, 11 mins. Release, Sept. 19, 1941.

"Meet the Champs"
(Grantland Rice Sportlight)
(Paramount)

The Wilhelm Brothers of Yermo, Calif., again display their remarkable talent with bow and arrow. After some brief shots of the men giving instruction first at a boys' school and, later, at a girls' college, the reel shows the brothers shooting objects off each other's heads. The objects used grow smaller and smaller and the interest mounts with each one. There are also some interesting demonstrations of shooting with tracer arrows and shooting an arrow through an iron skillet. Running time, 10 mins. Release, Oct. 3, 1941.

'How To Take a Vacation'
(Benchley Comedy)
(Paramount)

Robert Benchley, in another of his satires on the domestic scene, leaves his wife behind to go on a vacation in the woods "with the boys." Constant rain and a steady diet of beans soon dispels the glamour of the trip and Benchley is back in his wife's arms to accept her ideas on how a vacation should be spent. As usual, Benchley is quite funny, and the situations are well-known to most families. Running time, 10 mins. Release, Oct. 10, 1941.

"Unusual Occupations, L1-1"
(Paramount)

Assembled in this reel are a man who conducts a Southern plantation just as it was a century ago; the unusual collections of bills, beaks and horns of "Dr." Seuss, the illustrator; the selection of airplane hostesses, and a trick typist in an unusual demonstration of his technique. In color. Running time, 11 mins. Release, Oct. 3, 1941.

Reviews

"A Girl Must Live"
(Gainsborough-Universal—1941-'42 Release)

PRODUCED in England by Gainsborough, and released here by Universal, "A Girl Must Live" is definitely light-weight screen fare, handicapped by a too-British accent on the part of most of its players, and an unconvincing story.

Margaret Lockwood, one of the best of English actresses, and well known to American audiences, is given herein a role far too lacking in backbone for her unquestioned talent. She plays a school girl who runs off to London in search of a theatrical career, becomes involved in the chorus girl scramble of a theatrical boarding house, where she is using the name of the daughter of a once famous actress, and winds up as the wife of an Earl.

Carol Reed, who directed, has done probably as well as could be expected in view of the basic story weakness. In support of Miss Lockwood are Hugh Sinclair as the young Earl, Renee Houston and Lilli Palmer as the pair of chorus girls who are after the title, and Naughton Wayne, as the crook friend of one of them, who connives a blackmailing plot against the Earl into which Miss Lockwood falls. When she takes the blame, the other two girls, conscience-stricken, confess, opening the way to the completion of the Lockwood-Sinclair romance.

Running time, 69 minutes. "G."* CHARLES S. AARONSON

"The Masked Rider"
(Universal—1941-'42 Release)

LARGE doses of guitar strumming, dancing and vocalizing South of the Border delay the flow of the story, the plot of which concerns the attempt of the title character and his gang to relieve a Mexican gentleman of his hacienda. There is sufficient fighting and chasing for the action market but some of the sequences are impaired by the over-emphasized musical accompaniment.

Johnny Mack Brown is likeable in the role of the hero. Fuzzy Knight, Grant Withers, Nell O'Day meet requirements in supporting spots. Withers is the "Masked Rider," whose identity is fairly obvious long before he is unmasked. Ford Beebe directed the film.

Running time, 58 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Savini to Release For Film Alliance

Film Alliance of America and Astor Pictures have entered into a distribution deal whereby Film Alliance product will be released nationally through Astor, it was announced Friday by Robert M. Savini, president of Astor. Involved in the deal are 16 features which Film Alliance has in circulation and nine which are forthcoming, Savini said.

Film Alliance has been releasing a number of English and French pictures.

L. E. Thompson, Harry Brandt and Percival E. Furber, president of Trans-Lux Corp., will retain their interests in Film Alliance, it was said. Normal Elson, general manager of the company, recently withdrew to devote his full time to buying and booking for Trans-Lux theatres.

"I'll Never Crow Again"
(Popeye Cartoon)
(Paramount)

Olive calls upon Popeye for aid in dispersing some crows from her garden. He tries a number of tricks but the birds outwit him. His temper rises with each unsuccessful effort but when he finds Olive laughing at him, he blows up. The reel ends with Olive hanging on the uprights which formerly supported the scarecrow and the crows really scared this time. Good for a few laughs. Running time, 7 mins. Release, Sept. 19, 1941.

'Barbara' Scores $8,500, Montreal

MONTREAL, Oct. 5.—"Major Barbara" led here with $8,500 at Loew's. "Our Wife" at the Capitol took $6,300.

Estimated receipts for the week ending Sept. 25:

"New Wine" (U. A.)
"Mr. District Attorney" (Rep.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Major Barbara" (U. A.)
LOEW'S — (2,900) (35c-47c-67c) 7 days. Gross: $8,500. (Average, $7,000)
'Puddin' Head" (Rep.)
"Ice Escapades" (Rep.)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $2,200. (Average, $2,500)
"Here Comes Mr. Jordan" (Col.)
PALACE — (2,200) (30c-45c-62) 7 days. Gross: $5,500. (Average, $7,000)
"Our Wife" (Col.)
"Ellery Queen's Penthouse Mystery" (Col.)
CAPITOL — (2,800) (30c-45c-62c) 7 days. Gross: $6,300. (Average, $4,000)

French Film Opening

"The Man Who Seeks the Truth," French film starring Raimu, will open tonight at the World Theatre. The premiere will be a benefit for the French War Veterans relief fund. The program will include "A Gypsy Romance," also a French film.

La Cava Party Host

Gregory La Cava, who recently produced "Unfinished Business" for Universal, will be host to the press at a cocktail party tomorrow afternoon at the 21 Club.

Short Subject Reviews

"Westward Ho-Hum"
(Edgar Kennedy Comedy)
(RKO)

This is best suited for those who enjoy the Edgar Kennedy comedy, which remains much the same through the seasons. The humor is of the slapstick sort. Sally Payne, Jack Rice and others are with Kennedy, who travels out West to operate his newly-acquired restaurant, which, he later discovers, is in a ghost town. Two outlaws also are involved, but Miss Payne captures them, it seems, and collects a reward. Running time, 16 mins. Release, Sept. 5, 1941.

"Man-i-Cured"
(Leon Errol Comedy)
(RKO)

This is a brisk little comedy of the house-detective and girl-in-room variety. Leon Errol is seen in a series of complications with the detective, his wife and a manicurist and manages to emerge with nothing more than a flower pot over his head. Although for the most part routine, it comes off with the proper effect. Running time, 20 mins. Release, Sept. 26, 1941.

"Picture People"
(One-reel Specialty)
(RKO-Pathe)

Helen Broderick plays hostess in this first of the new season's series on Hollywood. It has to do with the part stars are taking in national defense, paying particular attention to Sigrid Gurie's party, to which the guests bring pots and pans. Reginald Denny is seen at his model plane factory, Margaret Lindsay and Marion Marsh working with the Red Cross, Victor McLaglen with his cavalry and motor corps, and other such items. It is an interesting short, and is out of the routine. Running time, 8 mins. Release, Sept. 12, 1941.

"Screen Snapshots, No. 1"
(Columbia)

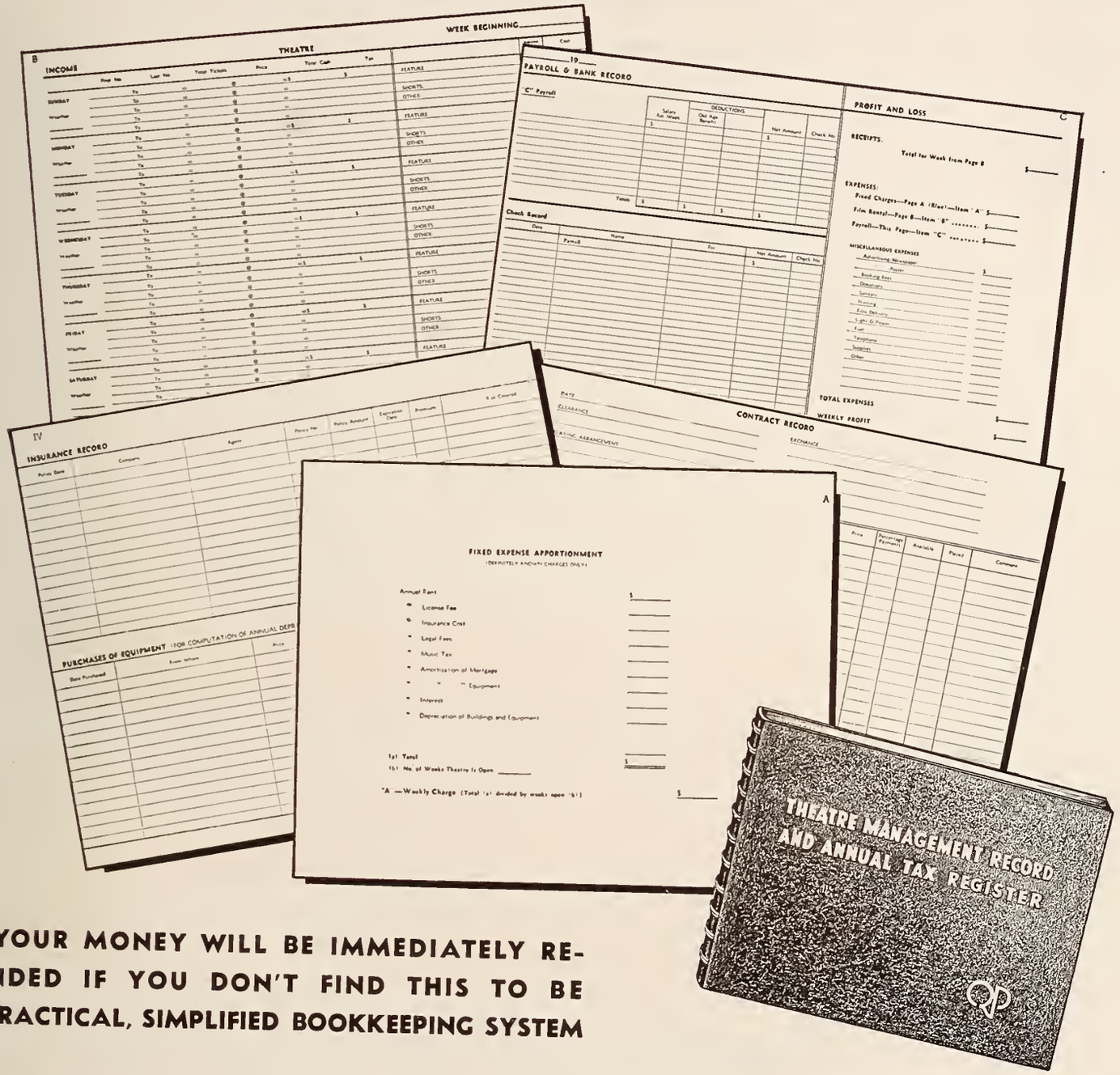
Ken Murray escorts the Brewster twins to an eccentric Hollywood party, whose host is Milton Berle, and for which the guests don beach costumes which were in style a generation ago. Billy Gilbert, Joan Davis, Buster Keaton and Berle try to be funny, with little effect, for the cameraman. Others in attendance are Ann Miller, Brenda Joyce, Kay Harris, Ella Logan and Simone Simon. Miss Logan contributes to the entertainment with a swing song. Running time, 9 mins. Release, Sept. 15, 1941.

"From Nuts to Soup"
(Cinescope)
(Columbia)

Prof. Russell E. Oakes demonstrates for his graduating class an assortment of crackpot inventions. Gadgets for preventing the sleeve from touching the butter, and a broadened knife for carrying peas, are among the professor's creations. Topping them all is his doughnut dunking device. But with it all, there is a limited amount of good comedy in the film. Running time, 12 mins. Release, Sept. 5, 1941.

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Plan Program For NBC Web Coordination

Closer coordination between the Red and Blue networks of NBC and their respective affiliated stations will be sought today in a letter by Niles Trammell, NBC president, to the 239 stations which comprise the two webs. Although the letter will stress the need for cooperation on matters of national defense, the Planning and Advisory Committee which will be set up for each network will also consider program and sales policies, the joint needs of network and station operation, and public service.



Niles Trammell

This plan for cooperation by the networks with the station affiliates comes while NBC is facing an FCC order to dispose of the Blue network and network monopoly regulations are pending before the commission.

The plan, as it will be outlined by Trammell, calls for the development of a "definite program to be organized on a cooperative basis between the 239 stations and the National Broadcasting Company." Each committee will consist of seven members.

Temporary members have been selected by Trammell and they will be asked to come to New York for an organization meeting. The Red network committee will meet Nov. 4 and the Blue, Nov. 5.

Temporary representatives of the Red are: Paul W. Morency, WTIC, Hartford, Conn.; James D. Shouse, WLW, Cincinnati; John J. Gillin, WOW, Omaha; Edwin W. Craig, WSM, Nashville; O. L. Taylor, KGNC, Amarillo, Tex.; Sid S. Fox, KDYL, Salt Lake City, and Harrison Holliway, KFI, Los Angeles.

For the Blue: Harry C. Wilder, WSYR, Syracuse, and WTRY, Troy, N. Y.; Sam Rosenbaum, WFIL, Philadelphia; Elzey Roberts, KXOK, St. Louis; Henry P. Johnston, WSGN, Birmingham, Ala.; Harold Hough, KGKO, Dallas, and KTOK, Oklahoma City; Tracy McCraken, KFBC, Cheyenne, and Howard Lane, KFBK, Sacramento.

Col. to Handle Poll Shorts

Columbia has closed a deal with Film Institute, Inc., to distribute the latter's short subjects series based on Gallup Poll results of topical questions, it announced Saturday.

Sulzberger Joins Firm

Former Municipal Court Justice Myron Sulzberger has joined the law firm of Schecter & Sulzberger, attorneys well known in the industry.

Roosevelt Will Fill FCC Vacancy Soon

Washington, Oct. 5.—President Roosevelt on Friday said he is almost ready to fill the vacancy which has existed on the FCC since June 30, but refused to give any indication whom he has selected as successor to former Commissioner Frederick I. Thompson.

FCC Grants Power Increase Requests; FM Station Sought

WASHINGTON, Oct. 5.—The FCC has granted the applications of Stations KFEQ, St. Joseph, Mo., for increase of power from 500 watts night, 2,500 watts day, to 5,000 watts; KFGQ, Boone, Ia., for change of frequency from 1,400 to 1,260 kilocycles and increase of day power from 100 to 250 watts, and KDON, Monterey, Cal., for increase of power from 100 to 250 watts.

Baltimore Radio Show, Inc., Baltimore, has asked for a construction permit for an FM station to operate on 45,900 kilocycles, covering 4,980 square miles with a population of 1,393,884.

The commission also ordered hearings on the applications of Stations WLOL, Minneapolis, for change of frequency to 630 kilocycles and increase of day power to 5,000 watts; WMIN, St. Paul, for change of frequency to 630 kilocycles and increase of power to 1,000 watts night, 5,000 watts day, and KSAN, San Francisco, for change of frequency to 1,460 kilocycles and increase of power to 1,000 watts.

Off the Antenna

BMI has announced that licenses for all transcriptions using BMI songs will be cleared at the source, thus permitting stations without BMI licenses to play the recordings. The recording company or advertising agency will pay the source license fee and the rate will be the same as if a station obtained a "per program" license. The maximum rate of 5.55 per cent will apply unless the station supplies the recorder or agency with data indicating that it is entitled to a lower income classification.

• • •

Purely Personal: *Theodore Toll, formerly with the J. Walter Thompson agency and WAAF, Chicago, has joined the production staff of the NBC central division. . . . Marty Glickman, WHN sportscaster, became the father of a girl last week. . . . Jack Martin, WHN announcer, has returned to WOPI, Bristol, Tenn., where he will handle sports events. . . . Gertrude Berg, who writes and acts in "The Rise of the Goldbergs," was given a surprise birthday party by the Compton agency, the rest of the cast and CBS on Friday. . . . Richard Goggin, WABC producer-director, is giving a course at the Maplewood, N. J., Theatre, in radio acting and production.*

• • •

Despite keen interest in last week's Louis-Nova fight, the bout failed to reach the record set by the Louis-Schmeling match in 1938. Last week's rating was 54.1 per cent of all set owners interviewed, as compared with 63.6 per cent for the 1938 fight and 58.2 per cent for the Louis-Conn fight in June of this year. The fight was broadcast by Mutual. The figures were obtained by CAB.

• • •

Program News: The Metropolitan Museum of Art will start a new art series over CBS television Tuesday at 8:30 P.M. . . . Atlantic Refining Co. will sponsor 14 football broadcasts on 10 successive Saturdays over varying hookups of CBS New England stations. . . . R. H. Macy will sponsor "Consumer's Quiz Club" over WOR for the fourth year beginning today. The program will be heard Monday through Friday, 10:30-10:50 A.M.

Harry Kopf Elected NBC Vice-President

Harry C. Kopf, general manager of NBC central division with offices in Chicago, on Friday was elected a vice-president of the network in charge of the division, by the board of directors. Kopf was central division sales manager until a year ago when he was promoted to the post of general manager, succeeding Sidney N. Strotz who was then named vice-president in charge of programs.

Divorce of Radio, Papers Is Urged

WASHINGTON, Oct. 5.—Divorce of newspapers and broadcasting was urged upon the FCC Friday by C. J. Friedrich, Harvard professor, to arrest a drift toward "monopoly in opinion" which, he said, might lead toward totalitarianism.

His views were supported by Prof. Zacharia Chaffee, Jr., who told the FCC that he had devoted some years to study of the two media and felt they should be operated separately.



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rosses Beat Heat Wave, World Series

wn' Has Strong Week; Eve' and 'RAF' Good

Despite abnormal heat, which cked temperature records for ly October, and the World ies, which kept many thousands New Yorkers glued to their ios throughout the weekend, in ition to the capacity attendance Ebbets Field, grosses along oadway vanquished the severe petition.

he large throngs at the beaches sted to the temperature, which a record high of 85 on Saturday, n Sunday and 88 yesterday. The only yesterday evening began to le down from a hectic subway rld Series which crowded the war s off front pages.

he Paramount with "Hold Back

(*Continued on page* 13)

owne-Bioff Jury lection Tomorrow

ounsel for both sides yesterday ressed readiness to proceed tomor- with the trial of George E. wne, IATSE president, and Wil- Bioff, Coast official of the union, alleged extortion from four film panies. The entire day is ex- ed to be occupied with selection jury.

ederal Judge John C. Knox ad- ned start of the trial until tomor- because a Federal jury for the term will not be impaneled until ay.

Mathias F. Correa, U. S. District orney, who will conduct the trial, designated two of his assistants, is Kostelanetz and John L. Bur- , to aid him.

exico Film Strike Advanced to Oct. 9

EXICO CITY, Oct. 6.—Negotiations settlement of the film workers' ke against 20th Century-Fox, ted Artists and Universal, which ortedly had been progressing fa- ably late last week, were pro- nced "fruitless" by Salvador Car- , head of the union, at the end of y's negotiations.

he union followed the statement

(*Continued on page* 13)

Film Industry to Plan Camp Shows with Army and Navy

WASHINGTON, Oct. 6. — High officials of the Army and Navy will meet Wednesday and Thursday with representatives of the motion picture and radio industries and legitimate stage in a series of conferences at which a long-term program for camp entertainment will be developed, it was disclosed tonight.

Invitations to attend the meetings were telegraphed to representatives of the three industries last week by Brigadier General Frederick C. Osborne, chief of the morale division of the War Department, who will preside.

The motion picture group will include Y. Frank Freeman, president of the Association of Motion Picture Producers and chairman of the Hollywood branch of the motion picture defense committee; Jock Lawrence, secretary of the committee, and representatives of the Screen Actors Guild, Screen Writers Guild, Screen Directors Guild, the various technical branches and the Association of Motion Picture Producers. Representatives from the East will include Lawrence

(*Continued on page* 14)

Republic Expands Production Setup Under M. J. Siegel

HOLLYWOOD, Oct. 6.—M. J. Siegel, president of Republic Productions, today announced an expansion in the studio's executive and physical setup which, he said, was "the most important expansion program in the history of the company."



M. J. Siegel

Effective immediately, two new production departments are created, it was announced, with Al Wilson appointed executive producer in charge of all features and Hiram Brown, Jr., appointed executive producer in charge of westerns and serials, the latter two departments being consolidated in the move.

Siegel also announced that a construction program will get under way, including two new sound stages, buildings for the art and research departments and new character streets. The work will be under the supervision of C. L. Lootens.

Siegel will join James R. Grainger, president of Republic Pictures, the distributing company, and Herbert J. Yates, chairman of the Republic board, as a "sales triumvirate" which,

(*Continued on page* 13)

UA Partners Here On Selznick Details

United Artists partners will meet here tomorrow or Thursday to complete final details of the deal by which David O. Selznick becomes an owner-producer in the company and to confer on the selection of a president for the company.

Mary Pickford and Alexander Korda arrived from the Coast by plane yesterday, and Selznick and Edward C. Raftery, secretary and counsel, are expected today or tomorrow. Charles Chaplin is scheduled to arrive Thursday, completing the roster of United Artists owners.

Nye Charges America First Group Finances Campaign Against Him

Washington, Oct. 6.—Speaking on the Senate floor today, Sen. Gerald P. Nye of North Dakota charged that the America First Committee was financing advertisements against him in 19 North Dakota weekly newspapers.

The statement was made in connection with a "reply" to charges that he was injecting racial issues into the political situation. He said the statement he had made before the Senate subcommittee investigating film and radio "propaganda" would dispose of the charges that he was attempting to foment the racial issue.

He did not go into the question of alleged film propaganda or the investigation itself, but he secured the printing in the Congressional Record of a considerable part of his statement to the Nye-Clark subcommittee at the opening of its hearings last month.

Majors Weigh Procedure on Minn. Decision

Will Take Appeal or Seek Change in Decree

No immediate decision will be made by the five consenting companies on a course of action as a result of the decision of District Judge Hugo O. Hanft of St. Paul upholding the constitutionality of the Minnesota anti-block-of-five law, it was stated yesterday following a meeting of attorneys for the companies here.

The attorneys stated that before making a decision on their next step they would confer with the general sales managers of their companies to obtain their views in the matter. Another meeting of attorneys will be held within the next few days, it was stated.

The meeting was attended by David Shearer, Minneapolis counsel for some of the companies, who brought copies

(*Continued on page* 6)

Clearance Decision Reversed on Appeal

The national arbitration appeals board yesterday reversed the award of Morton J. Hall, arbitrator, who last July granted a clearance reduction to the American Theatre, Canton, N. Y.

In reversing the arbitrator and dismissing the complaint, the appeals board did not consider the case on its merits but acted on a technical fault in the original complaint. The appeals board stipulated that if a new and proper complaint is filed at the Albany board within 10 days it will

(*Continued on page* 13)

MPTOA Backs Aim Of Industry Unity

MPTOA gave qualified approval yesterday to the proposal for a joint industry committee to work for improved industry relations in matters of common interest.

The organization's endorsement of the general aims of the proposed committee was contained in a bulletin to MPTOA members issued over the signature of Ed Kuykendall, president.

(*Continued on page* 6)

Coast Flashes

Hollywood, Oct. 6

WALTER WANGER, retiring president of the Academy of Motion Picture Arts and Sciences, today announced the newly elected members of the board of governors. They are: actors, Edward Arnold, Charles Coburn, Rosalind Russell; directors, Frank Capra, Frank Lloyd, Sam Wood; producers, Y. Frank Freeman, David O. Selznick, Darryl Zanuck; writers, Howard Estabrook, James Hilton, Norman Reilly Raine; science, John Aalberg, Farciot Edouart, Ray Wilkinson. The board will meet Oct. 30 to select the officers.

•

Dennis Morgan will be starred in Warners' "Robinson Crusoe," the studio announced today.

•

Industry participation in the local Community Chest campaign was launched today with the formation of a studio publicity committee headed by Arch Reeve of the Association of Motion Picture Producers. Members are Gene Simmons, 20th Century-Fox; Eddie Manson, Warners; John Del Valle, Paramount; Connie Krebs, RKO; Bill Rogers, Republic; Irving Fein, Goldwyn; John Leroy Johnston, Wanger; Dave McCoig, Universal; Erle Hampton, Columbia; Barrett Kiesling, M-G-M.

Dolores Costello Signed

HOLLYWOOD, Oct. 6.—Dolores Costello has been signed by Orson Welles for the feminine lead in "The Magnificent Ambersons," which he is producing for RKO.

Personal Mention

LEO SPITZ left last night for California. He will be gone about two weeks.

•

WILLIAM A. SCULLY, Universal vice-president and general sales manager, and WILLIAM J. HEINEMAN, assistant general sales manager, are due from the Coast tomorrow.

•

LIEUT.-COMM. EUGENE ZUKOR will leave for the Coast today following a visit with his parents here.

•

RUTH RICH, secretary to GUS S. EYSSELL of the Radio City Music Hall, was married Saturday to EDWARD DEUTSCH, manufacturer, in New Jersey. Following a wedding trip MRS. DEUTSCH will return to the Music Hall.

•

H. M. RICHEY, director of exhibitor relations for M-G-M, left for Detroit by plane yesterday.

•

JACK HORWITZ of the M-G-M Washington exchange has been drafted.

•

JOSEPH REED, JR., son of the Connecticut theatre operator, and MOLLIE STEWART of Needham, Mass., were married recently.

•

MARY GAFFNEY, secretary to FRED LYNCH, Music Hall publicity director, and COLUMBIA R. SILEO, wife of the theatrical photographer, return today from a vacation in Mexico.

•

NORMAN ELSON, general manager of Trans-Lux Theatres, leaves today for Philadelphia and Washington.

Y. FRANK FREEMAN, Paramount studio head, leaves for Washington today, after a day's conference with BARNEY BALABAN, Paramount president, at the home office yesterday.

•

A. M. BOTSFORD, 20th Century-Fox advertising and publicity director, is expected from the Coast today.

•

JAMES R. GRAINGER, president of Republic, left for Toronto by plane yesterday.

•

LESTER KRIEGER, assistant to TED SCHLANGER, Warner Theatres zone chief in Philadelphia, has been discharged from the hospital after suffering a heart attack, and is now recuperating at home.

•

CECIL FELT, operator of the Bluebird, Philadelphia, left over the week-end for Panama.

•

DALE WOODRUFF, former assistant manager of the Rialto, Allentown, Pa., has been released from the Army after a year's service.

•

JOHN G. GENTILE, former theatre operator in New Haven, Conn., is a patient at Undercliff Sanitorium, Meriden.

•

LEON J. RUBENSTEIN of Ruby Camema Exchange was operated on yesterday at New York Polyclinic Hospital.

•

NATALE DIFRANCESCO, owner of the Cheshire, Stamford, Conn., is ill at the Stamford Hospital.

Kentucky Outlaws Games as Lottery

FRANKFORT, Ky., Oct. 6.—Bank Night has been outlawed in Kentucky theatres as a lottery in an agreed judgment entered in Fayette Circuit court at Lexington. Attorney General Hubert Meredith immediately warned all theatres to stop the practice at once on penalty of "prompt and vigorous action."

The agreed judgment was filed last week in the suit brought May 2 by the Attorney General against Schine Lexington Corp., which operates about 20 Kentucky theatres. Attorneys for the company agreed to accept without appeal the court's judgment that the game is "a lottery and gift enterprise violative of the Kentucky Constitution."

In return, the Attorney General agreed to drop his original demand for forfeiture of the Schine charter and a $100,000 fine.

Lexington theatres already have posted signs saying that the game has been discontinued by court order. Frankfort theatres are making plans to discontinue it. No official statement on the subject will be made by the Attorney General's office, it was said, but officials expect theatres to follow the spirit of the judgment. That will preclude "door prizes" and other variants based on drawings in connection with admissions.

Cowan May Produce More Miller Plays

Gilbert Miller and Lester Cowan may produce screen versions of several of the former's forthcoming Broadway plays if they present unusual production problems, Cowan stated yesterday.

One of the new plays considered for film production, it was stated, is "Brighton Rock," on which the late Sidney Howard was working at the time of his death.

Cowan produced Miller's "Ladies in Retirement" for Columbia.

Lift Paralysis Ban

YORK, Pa., Oct. 6.—The ban on children under 16 attending films because of the paralysis danger, has been lifted. A similar ban at near Hanover was lifted Friday and the theatres there were well attended the first evening.

Albany Club Holds Meeting Next Week

ALBANY, Oct. 6.—The revived Albany Variety Club, which will retain its designation as Tent Number Nine, will hold its formal organization meeting at the Ten Eyck Hotel here next Monday. The Ten Eyck probably will be selected as permanent headquarters.

Temporary officers, pending permanent selections next week, are Moe A. Silver, Warner Circuit zone manager, temporary chairman; Herman Ripps, M-G-M branch manager, temporary secretary, and Louis R. Golding, temporary treasurer. On the temporary board of directors are Si Fabian and J. Myer Schine.

Metro Will Show Two Films Oct. 21

M-G-M will hold trade showings of two more new season films, "Shadow of the Thin Man" and "Two-Faced Woman" on Oct. 21 in all exchange centers. The films will be shown as a double feature in all cities except Philadelphia, where "Shadow of the Thin Man" will be shown morning and afternoon on Oct. 21 and the other film twice on Oct. 22.

Autry Here for Rodeo

Gene Autry, Republic star, who will appear in the rodeo at Madison Square Garden beginning tomorrow, arrived from the Coast yesterday.

Reservations Heavy On Clark Testimonial

PHILADELPHIA, Oct. 6.—The all-industry testimonial dinner on Oct. 27 at the Bellevue-Stratford Hotel for James P. Clark, under the auspices of the Variety Club, promises to be a sell-out. It is beginning to take on the aspect of a city and state dinner with officials sending in reservations. Clark, head of Horlacher's Film Delivery Service and the independent Clark Distributors film exchange, last month was elected chairman of the City Democratic Committee.

Korda Signs Benny For Lubitsch Film

Alexander Korda has signed Jack Benny for the starring role in the Korda production, "To Be Or Not to Be," which will be released by United Artists. Ernst Lubitsch will produce and direct the film. The picture will go into production Nov. 1, with other roles to be cast shortly.

Screen OEM Short Today

"Bomber," short subject produced by the Government Office of Emergency Management, will be screened this afternoon at the Warner home office, for the Theatres Division of the Motion Picture Committee Cooperating for Naitonal Defense. Carl Sandburg is the commentator for the reel, which depicts America's airplane bomber industry. Six hundred prints are ready for showing.

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TYRONE POWER
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Yank in RAF' Is $45,000 Hit Los Angeles

LOS ANGELES, Oct. 6.—"A Yank in the R.A.F.," playing single bill at one house and double bill at two others, grossed a total of $45,000. 'Sergeant York," single bill holdover, in its second week took a total of $34,000 at Warners Hollywood and Downtown theatres.

Estimated receipts for the week ending Oct. 1:

"Yank in the R.A.F." (20th-Fox)
"Niagara Falls" (U.A.)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $18,500. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE — (1,518) (55c-$1.65) 7 days, 35th week. Gross: $4,500. (Average, $17,000)
"Yank in the R.A.F." (20th-Fox)
4 STAR—(900) (44c-55c) 7 days. Gross: $6,500. (Average, $3,250)
"Here Comes Mr. Jordan" (Col.)
"Harmon of Michigan" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, "Jordan" 3rd week. Gross: $8,500. (Average, $6,500)
"Yank in the R.A.F." (20th-Fox)
"Niagara Falls" (U.A.)
LOEW'S STATE — (2,700) (33c-44c-55c-75c) 7 days. Gross: $20,000. (Average, $14,000)
"Here Comes Mr. Jordan" (Col.)
"Harmon of Michigan" (Col.)
PANTAGES—(1,000) (33c-44c-55c-75c) 7 days, "Jordan" 3rd week. Gross: $9,000. (Average, $7,000)
"Hold Back the Dawn" (Para.)
PARAMOUNT — (3,595) (33c-44c-55c-75c) 7 days. Stage: Bob Crosby. Gross: $24,000. (Average, $18,000)
"Sergeant York" (W.B.)
WARNER BROS. (Hollywood) — (3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $16,000. (Average, $14,000)
"Sergeant York" (W.B.)
WARNER BROS. (Downtown) — (3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $18,000. (Average, $12,000)

'Lady Be Good' at $9,500, New Haven

NEW HAVEN, Oct. 6.—The Loew-Poli led with $9,500 for "Lady Be Good" and "Dressed to Kill." The Roger Sherman, with "Navy Blues" and "Highway West" took $5,900.

Estimated receipts for the week ending Oct. 2:

"Here Comes Mr. Jordan" (Col.)
"Blondie In Society" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,400. (Average, $2,700)
"Lady Be Good" (M-G-M)
"Dressed to Kill" (20th-Fox)
LOEW-POLI — (3,040) (39c-50c) 7 days. Gross: $9,500. (Average, $8,000)
"Icecapades" (Rep.)
"Parson of Panamint" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,000. (Average, $4,500)
"Navy Blues" (W.B.)
"Highway West" (W.B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $5,900. (Average, $5,000)
"Bowery Blitzkrieg" (Mono.)
SHUBERT — (1,684) (30c-40c-50c-65c) 4 days. Stage show. Gross: $3,200.

Riot Breaks Out in Montreal Theatre

MONTREAL, Oct. 6.—Two policemen were injured in attempting to quell a riot which broke out between soldiers and civilians in the balcony of the Fairyland Theatre, local neighborhood house, on Saturday night.

It is believed a remark by a civilian spectator started the fight, which resulted in no damage to the theatre. Military police are investigating the cause of the disturbance.

Reviews

"Never Give a Sucker an Even Break"

(*Universal*—1941-'42 *Release*)

Hollywood, Oct. 6

THIS is a W. C. Fields picture by, of and with W. C. Fields and for the Fields trade. How good or bad it is for a given theatre's box-office requirements depends, more implicitly and completely than may be said of any feature in ready memory, upon the value of its star to the patronage of the theatre concerned. It is W. C. Fields in pattern, in content, in point and in manner, save only for those stretches of footage in which Gloria Jean is singing or Director Cline is manipulating one of those fabulous Mack Sennett automobile chases, with Fields in the driver's seat.

The script, reminiscent of Grandmother's patchwork quilt, is by Fields in his Otis Criblecoblis incognito. It provides him an opportunity to display his talent for whimsy, for disarray, for clever clumsiness, for slapstick and occasionally for the mumbling of amusing nothings off the corner of his lip. It starts nowhere and ends in a chase, with nothing which happens in between having more than remote connection with either end or any other part. The title is either an afterthought or a typographical error, which makes no difference.

Fields and all the others in the cast wear their own names in the dialogue, a convenience not without charm. They are, in addition to Fields and Gloria Jean, Leon Errol, Butch and Buddy, Margaret Dumont, Susan Miller, Franklin Pangborn, Charles Lang, Anne Nagel, Nell O'Day, Irving Bacon, Jody Gilbert, Minerva Urecal, Emmett Vogan, Charlotta Monti and Bill Rolfe.

Like the skits in the Follies of yesteryear which started Fields on the way to fame, the sequences in the picture, each a skit in its own right, vary from hits to flops. The Follies made a number of fortunes.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

"Mercy Island"

(*Republic*—1941-'42 *Release*)

EXCELLENT backgrounds and some interesting under-water shots are the principal virtues of this production. The story, adapted from a novel of the same name by Theodore Pratt, is a slow tale of a young lawyer mad with ambition, who is marooned on one of the Florida Keys with his wife and a friend.

Cast on the key during a fishing trip, they discover a doctor living there as a fugitive from justice. Ray Middleton is the semi-demented lawyer; Gloria Dickson, his wife; Otto Kruger, the doctor, and Don Douglas, the friend. Also in the cast are Forrester Harvey, a fishing schooner captain, and Terry Kilburn, his young assistant.

After discovering the doctor, Middleton insists on bringing him back to civilization, hoping to defend the doctor and bring glory upon himself. The others try to dissuade him, but Middleton is adamant. Finally, he is killed by an alligator and the others return to their homes, leaving the doctor by himself. There are some efforts to inject local color by frequent references to the "conks" but this is not very skillfully handled. There is little of melodrama or humor in the film. William Morgan directed and Armand Schaefer produced.

Running time, 72 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

'Eve' Captures Big $14,000 in Baltimore

BALTIMORE, Oct. 6. — "It Started With Eve" scored with $14,000 at Keith's. "You'll Never Get Rich," with a stage show at the Hippodrome took $17,000.

Estimated receipts for the week ending Oct. 2:

"Lydia" (U. A.)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $10,500. (Average, $10,000)
"It Started With Eve" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $14,000. (Average, $9,000)
"Belle Starr" (20th-Fox)
NEW — (1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"Aloma of the Sout Seas" (Para.)
STANLEY — (3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $12,000)
"You'll Never Get Rich" (Col.)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show including Ben Yost's Mimic Men; Lew Parker; Alphonse Berg. Gross: $17,000. (Average, $14,000)

'York' at $13,400 Milwaukee Smash

MILWAUKEE, Oct. 6. — "Sergeant York" at the Warner connected for $13,400 at the Warner. Runner-up was "When Ladies Meet" and "Whistling in the Dark" at the Wisconsin with $9,600.

Estimated receipts for the week ending Oct. 2:

"Our Wife" (Col.)
"Adventure in Washington" (Col.)
PALACE — (2,400) (33c-44c-55c) 7 days. Gross: $5,000. (Average, $4,000)
"Belle Starr" (20th-Fox)
"Here Comes Mr. Jordan" (Col.)
STRAND—(1,400) (44c-65c) 7 days. Gross: $2,000. (Average, $1,500)
"Sergeant York" (W. B.)
WARNER—(2,400) (40c-50c-66c) 7 days. Gross: $13,400. (Average, $4,500)
"When Ladies Meet" (M-G-M)
"Whistling in the Dark" (M-G-M)
WSCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $9,600. (Average, $5,500)

Studio Total Drops to 40 Now in Work

HOLLYWOOD, Oct. 6.—With 12 pictures finished and eight started, the number of pictures before the cameras this week dropped to 40, as against 44 last week. Thirty are being prepared, and 77 are being edited.

The tally by studios:

Columbia
In Work: "The Lady Is Willing," "Blondie Goes to College," "Honolulu Lu," "Bedtime Story."

Goldwyn (RKO)
In Work: "Ball of Fire."

Korda (U.A.)
Finished: "Jungle Book."

M-G-M
In Work: "The Vanishing Virginian," "Steel Cavalry," "Johnny Eager," "Woman of the Year," "H. M. Pulham, Esq.," "Babes On Broadway," "Her Honor."
Started: "We Were Dancing," untitled Dr. Kildare.

Monogram
Finished: "Zis Boom Bah."
In Work: "Bullets and Bullion," "Double Trouble."

Producers Releasing
Finished: "Swamp Woman," "Billy the Kid's Oklahoma Justice."

Pressburger (U.A.)
In Work: "The Shanghai Gesture."

Paramount
In Work: "Tombstone," "The Lady Has Plans," "The Fleet's In."

RKO
Finished: "Thundering Hoofs."
In Work: "Valley of the Sun," "Joan of Paris," "Call Out the Marines."
Started: Sing Your Worries Away."

Republic
Finished: "Sierra Sue," "The Devil Pays Off."
Started: Lady for a Night," "Tuxedo Junction."

Small (U. A.)
In Work: "Twin Beds."

20th Century-Fox
In Work: "The Perfect Snob," "Castle in the Desert," "Remember the Day," "Rise and Shine," "Son of Fury."

Universal
Finished: "South of Tahiti."
In Work: "Melody Lane," "Keep 'Em Flying."
Started: "North to the Klondike."

Warners
Finished: "Dangerously They Live," "Captains of the Clouds," "They Died With Their Boots On."
Suspended: "The Man Who Came to Dinner."
In Work: "Wild Bill Hickok Rides," "You're In the Army Now," "The Male Animal," "All through the Night," "Kings Row."

Schenck Appeal Delayed

Argument of appeals taken by Joseph M. Schenck and Joseph Moskowitz was postponed yesterday by the U. S. Circuit Court of Appeals to Nov. 10. The court acted on the request of U. S. Attorney Mathias F. Correa, who stated that he was engaged in other litigation, which would prevent him from presenting the Government's side of the argument this month.

A YANK IN TH



NEW YORK—BEST THREE DAYS OF A 2ND WEEK THE ROXY EVER HAD! A PHENOMENAL FRIDAY, SATURDAY AND SUNDAY FOLLOWS THE FIRST TREMENDOUS WEEK IN WHICH 171,115 PERSONS JAMMED THE HOUSE FOR AN ALL-TIME RECORD!

LOS ANGELES—THREE GREAT DAY-AND-DATE RUNS: SMASH! SMASH! SMASH!

TORONTO—2ND WEEK ACTUALLY BEATS THE FIRST—AND FIRST BEAT EVERYTHING!

20th CENTURY FOX

And Watch For More Reports Like These . .

R·A·F· Reports!

DENVER — SHATTERS THE TERRIFIC RECORD OF "ALEXANDER'S RAGTIME BAND"!

BOSTON — TOPPED "ALEXANDER'S RAGTIME BAND" ON SUNDAY BY $1128!

SAN FRANCISCO — SRO ALL DAY, DAY AFTER DAY, FOR BIGGEST BUSINESS IN 3 YEARS!

DALLAS — BLASTING THE "UNAPPROACHABLE" HIGHS THAT HAVE STOOD SINCE '39!

MILWAUKEE — OUT-GROSSING THE DAY-BY-DAY RECORD OF "SUN VALLEY SERENADE" WHICH WAS BIGGEST IN 3 YEARS!

PHILADELPHIA — THE BIGGEST SUNDAY'S BUSINESS PHILADELPHIA EVER HAD!

CINCINNATI — FIRST THREE DAYS $2600 BIGGER THAN "CHARLEY'S AUNT"!

SALT LAKE CITY — SMASHES THE "ALEXANDER'S RAGTIME BAND" ALL-TIME HIGH!

As The Nation's Boxoffices "Keep 'em Flying!"

Majors Weigh Procedure on Minn. Decision

(*Continued from page* 1)

of the decision with him to New York for study by the home office counsel.

The consenting companies have the choice of going before Federal Judge Henry W. Goddard here and asking to be relieved of the block-of-five provision of the consent decree insofar as their operations in Minnesota are concerned, in order to comply with the State law, or of continuing the battle in the courts by taking an appeal to the Minnesota Supreme Court.

If the latter course is decided upon, it was pointed out, selling would not be engaged in within Minnesota until the appeal was decided. However, informal observations of several of the attorneys appeared to indicate that they considered an application to Judge Goddard for release from the decree's selling provisions in Minnesota as the most practical procedure.

A decision on the procedure will depend to a large extent on the attitude of the company sales executives, it was said, since apprehension was expressed that if this course were to be followed and the release was granted by the court, exhibitors might be encouraged to initiate legislation similar to the Minnesota law in other states.

Hillstreet Releases 'Citizen Kane' in L. A.

LOS ANGELES, Oct. 6.—The Hawaii Theatre, operated by Albert Galston and Jay Sutton, today obtained RKO's "Citizen Kane " in a release of the film by the Pantages Hillstreet, which had bought the picture in RKO's first block.

The Hawaii will have first run on the film, opening it Oct. 16 on a reported guarantee of four weeks, with the present 40-cent scale increased to 55 and 75 cents.

Fox West Coast previously had bought the picture with RKO's first block and then announced that it would be shelved. FWC did not buy first run, however. Hearst has two newspapers here.

Legion Approves Fourteen New Films

The National Legion of Decency has approved all 14 new films reviewed this week, eight for general audiences and six for adults. The new pictures and their classification follow.

Class A-1, unobjectionable for General Patronage—"Death Valley Outlaw," "Dude Cowboy," "Dynamite Canyon," "It Started with Eve," "Look Who's Laughing," "The Remarkable Mr. Kipps," "Riders of the Purple Sage," "They Meet Again." Class A-2, Unobjectionable for Adults —"The Gay Falcon," "Hard Guy," "Law of the Tropics," "Married Bachelor," "Mexican Spitfire's Baby," "Unexpected Uncle."

Mainwaring in East

Dan Mainwaring, who has been connected with Warners' New York and Hollywood publicity staffs for some time, has rejoined the New York publicity staff under Mort Blumenstock.

Reviews

"Moonlight in Hawaii"

(*Universal*—1941-'42 *Release*)

WITH a few tuneful song numbers and their rendition in the modern popular style by the Merry Macs of radio, this light musical should have some appeal for the younger generation.

Ken Goldsmith was associate producer, and Charles Lamont directed. Gene de Paul composed the music and Don Raye wrote the lyrics. The title song probably will be the best remembered.

Heading the cast is Johnny Downs, while in support are Jane Frazee, and the veterans Leon Errol, Mischa Auer, the late Richard Carle and Marjorie Gateson.

Set in Hawaii, the story concerns the pursuit by the Merry Macs, three-quarters of a quartet, of the fourth member, Downs, who is holding down a job as a guide on a tour, shepherding Miss Gateson and several attractive nieces. Downs meets Miss Frazee, daughter of Errol, pineapple juice canner, who is constantly at dagger-ends with the pineapple grower, Carle. The film is concerned with efforts to get the four boys on the air, and the romantic interludes of Downs and Miss Frazee, not to mention that of Miss Gateson with Errol, Carle, and finally Auer, orchestra leader.

Running time, 61 minutes. "G."* CHARLES S. AARONSON

"Spooks Run Wild"

(*Monogram*—1941-'42 *Release*)

Hollywood, Oct. 6

THE comedy talents of Monogram's "East Side Kids" and the sombreness associated cinematically with Bela Lugosi are combined in "Spooks Run Wild." The basic idea was a sound one, but the story runs wild too. There is no restraint placed by Director Phil Rosen and producer Sam Katzman on the series of incidents which take the boys to a Summer camp, into a mysterious house with secret passages, and into solving a murder mystery.

The preview audience was in commotion most of the time, laughing both at and with the picture. The "kids" contingent of Leo Gorcey, Bobby Jordan, Huntz Hall, "Sunshine Sammy" Morrison, David Gorcey and Donald Haines is all present, and the adult cast is made up, in addition to Lugosi, of David O'Brien, Dorothy Short, Dennis Moore, P. J. Kelley, Angelo Rossitto, and Guy Wilkerson.

Running time, 64 minutes. "G."* VANCE KING

"Man from Montana"

(*Universal*—1941-'42 *Release*)

A BAND of rustlers who undertake to instigate a battle between homesteaders and ranchers are frustrated herein chiefly because Montana's rugged sheriff, Johnny Mack Brown, and his buddy, Fuzzy Knight, step in to adjust matters.

The action sequences are sufficient in number and excitement for the outdoor fan, who, however, might find the story not especially solid in its developments.

The cast also includes Jeanne Kelly and Nell O'Day. Butch and Buddy and "The King's Men" sing a couple of melodies appropriate to the locale. Ray Taylor directed and Will Cowan was associate producer.

Running time, 59 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Make No Change in Milwaukee Prices

MILWAUKEE, Oct. 6. — Milwaukee first runs have made no change in adult admission prices as a result of the new Federal tax, which has, however, been added to children's admissions. The Warner is now charging 17 cents for children's admissions, while the Fox first runs have raised their usual 10-cent admissions for children to 13 cents and added the two-cent tax to make it a 15-cent total.

Independent neighborhood houses, which previously did not come under the Federal tax, are passing it on to the patron. In some cases houses which charged 15 cents are now charging 18 cents and adding the tax to make a 20-cent total for adults.

Three Firms Chartered

ALBANY, Oct. 6.—Three companies have been formed here. They are: Featurettes, Inc., New York, by John C. Kinsbrey, Davis M. Zimmerman and Sigmund F. Sendrowski; Raybond Theatres Corp., New York, by Louis Rubin, Aaron W. Hoenig and Blanche Weiss, and The Playhouse, Inc., Buffalo, by Andrew O. Gibson and Richard T. Kemper.

New Company Formed

SACRAMENTO, Oct. 6.—Articles of incorporation were filed here by R. C. M. Productions, which proposes to produce and distribute motion pictures, radio and television programs. Directors are Roy L. Herndon, D. K. Bolsover and Sam Coslow of Los Angeles.

Allied Board Plans Meet on Joint Unit

WASHINGTON, Oct. 6.—Allied States' future procedure in the formation of the proposed national joint industry committee will be mapped by the organization's board of directors at a meeting late this month, Abram F. Myers, chairman and general counsel, said today.

The meeting may be held Oct. 22 in Pittsburgh, in conjunction with the annual convention of the Allied MPTO of Western Pennsylvania, he said.

The joint industry proposal, which was rejected by a vote of the national Allied convention at Philadelphia last month, has since been ratified by 12 Allied units which voted on the proposal during the 10 days following the convention. The latest to ratify was Northwest Allied. Only one unit, Connecticut Allied, rejected the plan. The Texas unit is conducting its vote by mail and the returns are not expected to be in before the middle of the week.

Myers' statement pointed to the "fine spirit" in which the units have acted on the measure and characterized reports that the issue has "put Allied on the spot" as "attempts to sabotage constructive endeavors."

MPTOA Backs Aim Of Industry Unity

(*Continued from page* 1)

Although the proposal for the all-industry committee was advanced by Allied States, nowhere in the lengthy MPTOA bulletin is Allied mentioned.

The bulletin asserts that MPTOA has traditionally worked for and joined in movements for better trade relations and declares that the organization, "will not hesitate to cooperate fully with any other group sincerely interested in advancing our industry." It points out that the proposed unity is desirable in facing "the probable end of the consent decree selling system, the important trade problems left unsolved by the decree, the war emergency, the huge tax burdens of the present and future, for national defense activities, the constant threat of Government regulation by legislation and litigation."

The bulletin suggests, however, that a plan of action for a joint committee be explored "before any new, elaborate organizations are set up to issue decrees and run the business."

Comerford Moves Several Managers

WILKES-BARRE, Pa., Oct. 6.—In a series of transfers and promotions by the Comerford Circuit in the Wilkes-Barre area, John Galvin, manager of the Penn Theatre, was transferred to the Irving, succeeding the late Fred Hermann. Paul Tighe, who was assistant to Galvin at the Penn, was promoted to manager. James Riley will remain at the Irving as assistant to Galvin.

Other changes among assistant managers were: Frank Alexander, from the Orpheum to the Penn; Jackson T. Eckenrode, from the Strand to the Orpheum; John Greaney, from doorman at the Comerford to assistant manager at the Strand. Tom Broderick, who also was an assistant manager at the Irving, resigned to enter a different business.

RKO RADIO IS ON THE BEAM!





LOOK AT THE *SECOND FIVE* FOR 1941-42



Suspicion



The master director of mystery-romance . . . the beautiful star of "Rebecca" . . . a hitherto unrevealed Cary Grant . . . THESE THREE MAKE MOVIE HISTORY with this amazing drama of a bride's love and terror, done with a power of suspense thrillingly new to the screen!

CARY GRANT
JOAN FONTAINE

IN

"SUSPICION"

with

Sir Cedric Hardwicke • Nigel Bruce
Dame May Whitty

DIRECTED BY
ALFRED HITCHCOCK

Screen Play by Samson Rophaelson, Joan Harrison, Alma Reville

Liberty Magazine's sensational romantic serial zestfully brought to the screen . . . The story of a love affair that raised a thousand eyebrows in the nation's most shockproof playground — Palm Beach . . . A shop girl-millionaire romance with enough laughs and dreams-come-true for everybody.

Unexpected Uncle



"UNEXPECTED UNCLE"

WITH

ANNE SHIRLEY • JAMES CRAIG
CHARLES COBURN

Produced by **Tay Garnett** • *Directed by* **Peter Godfrey**

Screen Play by Delmer Daves and Noel Langley

Look Who's Laughing



Radio's "four-most" fun stars in a furious fiesta of frenzied folly—forty-four times funnier than they've ever been on the air . . . with Lucille Ball in there for the glamour as she bombards Bashful Bergen and kindles Charlie Cordwood . . . IT'S THE LAUGH LIFT OF THE YEAR!

EDGAR BERGEN AND CHARLIE McCARTHY
FIBBER McGEE AND MOLLY
LUCILLE BALL

IN

"LOOK WHO'S LAUGHING"

Produced and Directed by ALLAN DWAN

Story and Screen Play by James V. Kern

The Mexican Spitfire's Baby



Lupe's got Leon on the lam again—all because of his interest in a poor, helpless war orphan (that's her in the photo up there, cuddling Leon) . . . Oh, baby, what fun! . . . It's slightly scandalous—but completely screwy—and a riot for the customers.

LUPE VELEZ • LEON ERROL

IN

"THE MEXICAN SPITFIRE'S BABY"

WITH

Charles "Buddy" Rogers • ZaSu Pitts

Elisabeth Risdon • Fritz Feld

PRODUCED BY CLIFF REID

DIRECTED BY LESLIE GOODWINS

Original Screen Play by Jerry Cady and Charles E. Roberts



The Gay Falcon

MICHAEL ARLEN's master crime-buster of fiction, brought to life on the screen by the star who played "The Saint."... THE FIRST OF A GREAT NEW SERIES presenting the high spots in the career of the most charming adventurer who ever talked his way into a woman's heart.

"THE GAY FALCON"

WITH

GEORGE SANDERS

WENDY BARRIE

Allen Jenkins • Anne Hunter

Gladys Cooper • Edward Brophy

Produced by Howard Benedict • Directed by Irving Reis

Screen Play by Lynn Root and Frank Fenton

RKO RADIO PICTURES

THE SECOND FIVE FOR 1941-4

Appeal Board In Reversal Of N.Y. Award

(Continued from page 1)

then consider the case on its merits.

The technicality on which the board based its ruling was the fact that the complaint originally was brought by A. P. Papayanakos, vice-president and treasurer of St. Lawrence Investors, Inc. The board held that Papayanakos, as an officer of the company which owned the American Theatre, is not an exhibitor within the meaning of Section 8 of the consent decree and, therefore, is not eligible to bring a complaint. The board said that if a new complaint and submission are filed at the Albany board within 10 days substituting the owning corporation for Papayanakos it would consider the case on its merits.

Fatal Technicality

The appeals board pointed out that the technicality was fatal because arbitration depends for its effectiveness upon the submission of the parties to the findings of an arbitrator, and that in cases of the kind considered only the owner or delegated authority of the theatre properly can commit the theatre. The board held Papayanakos did not meet that requirement.

The appeal was the first to be taken by distributor respondents. It was appealed by Warners and RKO, whose original motion to dismiss the complaint on the technical grounds cited in the appeals board decision had been denied by the arbitrator. The case, also, was the first appeals decision to reverse an arbitrator's award, of the four cases which have been decided by the appeals board to date.

Appeal N. J. Case

Meanwhile, the decision of Paul L. Fitzpatrick, arbitrator, reducing the clearance of the Cort, Somerville, N. J., over the Raritan Theatre there, was appealed yesterday. The case is the twelfth to be taken to the national appeals board. The decision was given Sept. 18. The case involved all five consenting companies.

Dismisses Columbus Clearance Complaint

CINCINNATI, Oct. 6. — Anthony B. Dunlap, arbitrator, today gave a decision dismissing the clearance complaint of Fred Rowlands, owner of the Parsons Theatre, Columbus, against the five consenting companies and Neth's Markham, Columbus.

Costs were assessed against the plaintiff. The arbitrator found that the existing clearance between the two theatres was not unreasonable and pointed out that when similar clearance over another theatre had been offered the plaintiff, he did not refuse it because it was unreasonable but because "it was not extended to another theatre under his control."

To Appear Without Counsel In Washington Case Hearing

WASHINGTON, Oct. 6. — Under an informal agreement reached today, Loew's and Sam Mellits, complaining exhibitor in a clearance case against the company at the local board, will present their case without benefit of lawyers. Reese Harrington, of the intervening theatre, also has agreed to appear without counsel. Joseph A. Cantrel, attorney, has been designated arbitrator. The hearing is scheduled in a week or 10 days.

Warners Eliminated from Complaint in Chicago

CHICAGO, Oct. 6.—Warners has been eliminated as a respondent in the clearance complaint of K & S Theatre Corp. of North Chicago at the request of the plaintiff following a voluntary settlement. RKO remains a defendant in the complaint and time for selection of an arbitrator has been extended to Oct. 11.

Postpone Hearing Again Of Connecticut Case

NEW HAVEN, Oct. 6.—Hearing of the some run complaint of the College Open Air Theatre, Middletown, Conn., against the five consenting distributors, which had been scheduled for today, has been postponed for the second time. A new hearing date is not set.

Name Phila. Arbitrator; Another Case Delayed

PHILADELPHIA, Oct. 6.—A. M. Boyd, General Electric executive, has been selected as arbitrator in the clearance complaint of Lewen Pizor in behalf of his Tioga Theatre, with hearing set for Oct. 15.

Hearing of the clearance complaint filed by A. M. Ellis in behalf of the Broad Theatre scheduled for Wednesday, has been postponed until Oct. 14.

'Anne of England' Will Open Tonight

Gilbert Miller will present an historical play, "Anne of England," at the St. James tonight with Flora Robson and Barbara Everest playing the leading roles. It was written by Mary Cass Canfield and Ethel Borden and is based upon Norman Ginsbury's play, "Viceroy Sarah." Supporting players include Jessica Tandy, Frederic Worlock, Leo G. Carroll and Elizabeth Inglise.

Mexico Film Strike Advanced to Oct. 9

(Continued from page 1)

by advancing to next Thursday the deadline for the three companies to accept its demands. The companies on Sept. 29 had been given until Oct. 14 to acquiesce.

The strike against Paramount and RKO today was legalized by the Federal board of Conciliation and Arbitration, which means that the companies will be required to pay wages during the strike, the same as M-G-M and Columbia. Considerable speculation has arisen over the failure of the board to legalize the strike against Warners, which started Sept. 17.

Meanwhile, film service by the major companies has been halted either through the strike or by notice to accounts.

Bannell in AAA Post

M. F. Bannell has been appointed publicity representative for the American Arbitration Association, succeeding Lawrence Stessin, who resigned last week to accept a new position.

Republic Expands Production Setup Under M. J. Siegel

(Continued from page 1)

it is planned, will hold four regional meetings a year in Hollywood, New Orleans, Chicago and New York. The first meeting under the new arrangement will be Oct. 20 in Hollywood.

The announcement stated that production budgets will be substantially increased, on the basis of 1941-'42 sales to date.

Siegel for the last five years has been executive in sole charge of production, studio policy and the like, with individual producers reporting to him. Under the expanded setup, each of the two new production department heads will have sole charge of their divisions, it was stated.

Wilson formerly was studio production manager. He was brought here by Siegel four years ago from New York, where he was active in production. Brown came to the studio three years ago from the Republic home office. His latest activity was as producer of serials.

Other promotions announced by Siegel include Max Schoenberg, who becomes production manager, and Herbert Mendelson, appointed his assistant.

'York' at $13,700 Cincinnati's Best

CINCINNATI, Oct. 6. — "Sergeant York" had a big $13,700 at the RKO Capitol at advanced prices, while Brenda and Cobina on the RKO Shubert stage helped "Tillie, the Toiler" to a $14,000 gross. "Lady Be Good" pulled $13,000 at the RKO Albee.

Estimated receipts for the week ending Oct. 1-4:

"Lady Be Good" (M-G-M)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $13,000. (Average, $12,000)
"Belle Starr" (20th-Fox)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $7,500. (Average, $10,000)
"Tillie, the Toiler" (Col.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Brenda and Cobina and acts. Gross: $14,000. (Average, $10,000)
"Sergeant York" (W.B.)
RKO CAPITOL—(2,000) (44c-50c-60c) 7 days. Gross: $13,700. (Average, at 33c, 40c, 50c, $5,500)
"Unfinished Business" (Univ.)
RKO GRAND — (1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,200. (Average, $5,000)
"Sun Valley Serenade" (20th-Fox)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 4th week. Gross: $2,300. (Average, $4,500)
"Rags to Riches" (Rep.)
"Highway West" (W.B.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)
"Private Nurse" (20th-Fox)
"Mail Train" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Navy Blues" (W.B.)
KEITH'S — (1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,500. (Average, $5,000)

Two Join PRC Staff

George Becker has been transferred from the Detroit exchange of Producers Releasing Corp. to the Cleveland branch and has been succeeded in Detroit by Bert Tighe, formerly of Universal. Herbert Ives, formerly with RKO, has been named Detroit booker for PRC, replacing Carl Zipper, resigned.

Grosses Beat Heat Wave, World Series

(Continued from page 1)

the Dawn" and Xavier Cugat's orchestra on the stage rolled up a Saturday and Sunday gross estimated at $25,000. The show finishes its first week tonight with an estimated $61,000 expected.

'Yank' Continues Big

"A Yank in the R. A. F." is continuing its terrific pace at the Roxy, taking an estimated $36,000 Friday through Sunday of the second week, with a stage show.

"It Started with Eve" with the stage presentation opened big at the Radio City Music Hall, doing an estimated $60,000 Thursday through Sunday, and will hold over. Also enjoying a good opening was "The Maltese Falcon," which, with Jan Savitt's orchestra on the stage, grossed an estimated $22,000 Friday through Sunday. It will play a second week.

'York' Ends Run

"Sergeant York" completed an eight-week run at the Hollywood Sunday night and is slated to play the Strand beginning Oct. 17. In its final week at the Hollywood, the film brought an estimated $11,500. The eighth week of "Dr. Jekyll and Mr. Hyde" at the Astor was good for an estimated $8,500. The picture began a ninth week yesterday.

"Great Guns" gave the Globe an estimated $4,300 Thursday through Sunday and will be replaced this Thursday by "Lady of the Tropics." "Bowery Blitzkrieg" had an estimated $5,200 week at the Rialto and was followed yesterday by "Burma Convoy."

"Texas," a Columbia picture, is scheduled to open at Loew's State on Broadway Oct. 16, the company announced.

'Foxes' Omaha High With Good $5,300

OMAHA, Oct. 6. — "The Little Foxes," single-featured at the Brandeis, was held for a second week after grossing $5,300 for the first week. The weather was cold and rainy.

Estimated receipts for the week ending Sept. 30-Oct. 1:

"The Little Foxes" (RKO)
BRANDEIS — (1,200) (30c-44c) 7 days. Gross: $5,300. (Average, $4,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Tanks a Million" (U.A.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,400. (Average, $6,000)
"Lady Be Good" (M-G-M)
"The Great Mr. Nobody" (W.B.)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $7,200. (Average, $7,000)

RKO Closes 3 Deals On New Season Films

RKO has closed two additional circuit deals for the first two blocks of five pictures each for the new season. The deals have been closed with the R. E. Martin Circuit, covering 69 theatres in Georgia and Alabama, and the Skirball Circuit, involving six Ohio situations. Another deal, for the first block of five, has been closed with the Joe Lawrence Circuit, for 11 houses in Montana, Idaho and Utah.

AFM Restriction on RCAF Bands Scored

OTTAWA, Oct. 6.—W. T. Burford, secretary-treasurer of the Canadian Federation of Labor, strongly condemns the action of the Toronto local of the American Federation of Musicians in attempting to impose restrictions on broadcasting and recordings by Royal Canadian Air Force bands.

"This is not the first time this union has shown its indifference to patriotic endeavors in this country," Burford asserted, recalling the union had attempted recently to interfere with the use of a military band at a military funeral.

The Toronto local had banned use of the RCAF and Royal Canadian Mounted Police bands from the CBC network and from making recordings for use overseas. CBC officials declared that the local had threatened to cut off all exchange features with CBS, NBC and Mutual if military bands were used on CBC. A Government source disclosed that the Toronto local had demanded $12,000 in extra wage allowances if radio programs were to be transcribed for shipment to troops overseas.

American Federation of Musicians headquarters in New York refused comment on the Canadian situation, stating that the matter was entirely in the hands of its Canadian representatives.

W.B. Circuit Shifts Chicago Zone Men

CHICAGO, Oct. 6.—A number of manager changes have been made by the Warner Circuit in this zone.

Al Blasko goes from manager of the Parthenon, Hammond, Ind., to manager of the Oriental Milwaukee; Jerry MacWhorter, former manager of the Hamilton, Chicago, is now manager of the Tower, Milwaukee; Harry Mintz, manager of the Paramount, Hammond, moves to manager of the Parthenon, Hammond, and Ray Dunn, manager of the Orpheum, Hammond, becomes manager of the Paramount, Hammond; Tom Bonk, assistant manager of the Parthenon, moves to manager of the Orpheum, Hammond; Waldon Ryan, assistant manager of the Venetian, Racine, Wis., to manager of the Hamilton, Chicago.

Also, Richard Fahey moves from assistant manager of the Hamilton, Chicago, to assistant manager of the Parthenon, Hammond; Martin Hart, chief of service at the Avalon, Chicago, to assistant manager at the Hamilton, Chicago; George Danek, chief usher at the Stratford, Chicago, to assistant manager at the Frolic, Chicago; Chris Demos, assistant manager at the Frolic, to assistant manager at the Highland, Chicago, and Phil Shire, assistant manager at the Highland to assistant manager at the Venetian, Racine, Wis.

Para. Sued on Songs

Paramount Pictures, Inc., and Juanita Hall are defendants in a suit for an injunction and $25,000 damages filed in U. S. District Court here by the Clarence Williams Music Publishing Co., Inc. Paramount is charged with using two songs in its film, "Sugar Wind," without the plaintiff's permission.

Off the Antenna

MUTUAL yesterday called a meeting of managers of the 125 stations which will carry the Cocoa-Cola show, to be held in Atlantic City Thursday and Friday. The program will start on the network Nov. 3. Officials of the network, the sponsor and the D'Arcy advertising agency will discuss publicity, dealer tieups and promotion. John T. Vorpe, formerly with WHK and WTAM, both in Cleveland, has been named to a newly created post of program service supervisor, and will concentrate on the Coca Cola show. The station managers will also hold a meeting to consider general network problems.

• • •

Purely Personal: *Wally Butterworth yesterday went to the Fort Sanders Hospital, Knoxville, Tenn., with ptomaine poisoning. Bill Divens, WBT, Charlotte, announcer, substituted for him on the "Vox Pop" show last night. . . . Alan Courtney, conductor of the "1130 Club" over WOV, has been signed for a number of musical shorts by Paramount. . . . Phil Cohen has joined WNYC as director of production and acting program director. . . . Dr. Harry J. Skornia has resigned as assistant professor at DePauw University to join WIRE, Indianapolis, as program manager. . . . Richard Eaton will join Mutual Friday to start a series of five-times-weekly commentaries over the network.*

• • •

Bob Trout, CBS special events announcer and commentator, will leave for London by clipper Oct. 14 to act as the network's European news head while Edward R. Murrow takes a vacation. Murrow will remain with Trout until November and then will leave for a visit of several months in this country.

• • •

NBC yesterday reported that it had broadcast a total of 627 defense programs over the Red and Blue networks in the six-month period ended July 31. NBC itself prepared 180 of these. Of the others 15 were presented with the cooperation of the U. S. Treasury; 10, War Department; 12, Navy Department; 222, Government administrative agencies; 153, special organizations, and 35, various service groups.

The Red carried 154 of these shows and 473 were broadcast by the Blue. In addition, WEAF and WJZ carried 60 individual broadcasts and 1,063 spot announcements for defense. Of the spots, 542 were concerned with recruiting; 491, Defense Bonds, and 12 for Red Cross Reserve, nurse recruiting and blood bank appeals.

• • •

Program News: *WENR, Chicago, has obtained exclusive rights to Sunday and Thursday home hockey games of the Chicago Black Hawks. . . . Lever Bros. will resume "Big Town" with Edward G. Robinson over 53 CBS stations tomorrow 8-8:30 P.M. . . . NBC Symphony concerts will be short-waved to Latin America by NBC. Announcements will be made in Portuguese and Spanish.*

FCC Charged With Attempt to Make Law

WASHINGTON, Oct. 6.—Charges that it was attempting to invoke a "law-making power" which Congress never intended it to have were leveled against the FCC today in argument on its proposed prohibition against any single interest owning more than one station in any area.

Counsel for NBC and the Buffalo Broadcasting Corp. and others who would be affected by the rule contended that it could not be enforced in the absence of specific authority from Congress and that it was both unnecessary and undesirable.

The hearing was concluded late this afternoon, with Chairman James L. Fly announcing that the matter would be taken under consideration.

Industry to Plan Army, Navy Shows

(*Continued from page 1*)

Phillips, executive director, and Eddie Dowling, actor-producer, of the New York Citizens Defense Committee.

Discussion at the meeting will center around the series of test shows given by the film industry at a number of camps last summer and will cover the financial, programming, transportation and other problems involved in a long range program of this nature.

Jack Cunningham Rites

HOLLYWOOD, Oct. 6.—Funeral services for Jack Cunningham, 59, veteran screen writer, were held today. He died Saturday after an illness of three years.

FPC Plans Rationing of Power in N.E. and Southeast Due to Drouth

Washington, Oct. 6.—Rationing of electric power in New England and the Southeast appears possible as a result of long-continued drouth, officials disclosed here.

Federal Power Commission officials are working on details of rationing plans, which will be put into effect "if rains do not arrive very shortly," it was said.

In both sections, rainfall has been far below normal, adding to the adverse effects of long drouths last Spring and Summer.

Commission officials said their activities would be limited at this time to allocation of power in such a way as to insure continuous operation of defense industries, and that the institution of Daylight Saving Time is not under consideration.

Theatre Changes

Plan 2 in Philadelphia Area

PHILADELPHIA, Oct. 6.—Plans for the construction of two new houses in the territory with the reopening of another house, long dark, are announced. At York, Pa., Charles MacDonald, operator of the Southern there, plans a new 500-seat house, to be called the Mayfair, at a cost of $100,000. A new theatre being constructed in Trenton, N. J., for the Hildinger-Henry Corp. will also be known as the Mayfair. In addition, Max M. Korr, operator of the Earle, Allentown, Pa., has taken over the long-dark Capitol in Reading. The house will be renovated.

Remodel Fox West Coast Units

SAN FRANCISCO, Oct. 6.—Considerable remodelling work has begun in two Fox West Coast houses here, under the direction of Division Manager Arch M. Bowles. Approximately $90,000 will be spent on the California, downtown subsequent run, which will be renamed the State. A new floor and news seats are being installed at the Paramount, downtown first run, with the work being done in sections at night to avoid interruption with regular presentations.

Manages Sacramento House

SACRAMENTO, Oct. 6.—John O. Fitzsimmonds has been named manager of the Times, new unit of the Blumenfeld circuit, it has been announced by George Ingham, manager of the circuit here.

Switch B & K Assistants

CHICAGO, Oct. 6.—Several assistant managers have been switched in the Balaban & Katz circuit. James Ellis, who was assistant manager of the Crystal before his induction into the Army, has returned as assistant manager of the Northshore. Myron Mandy goes from the Riviera to the Belmont; Roy Brewer goes from the Covent to the Riviera, and Charles Walsh, chief of service at the Covent, becomes acting manager of that house.

To Renovate Conn. Theatre

PLAINFIELD, Conn., Oct. 6. — Michael Daly will renovate the 638-seat Daly. New seats have been installed, and drapes, marquee and carpet are also to be renovated.

Reopen House in Florida

ORLANDO, Fla., Oct. 6.—The Vogue Theatre, Colonialtown, has reopened under the management of the Florida State Theatres, successor to Sparks Theatres. R. M. Saunders is manager.

Baltimore Theatre to Open

BALTIMORE, Oct. 6.—The Windsor Theatre, under construction here, owned by Morton Rosen, will be ready soon. A neighborhood house, it will seat approximately 600.

Renovate Theatre in Butte

BUTTE, Mont., Oct. 6.—The Rialto here has completed renovation, including the erection of a new marquee and the installation of new carpets and seats.

Florida House to Reopen

VENICE, Fla., Oct. 6. — The Gulf Theatre, which has been redecorated, will open shortly.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 70 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 8, 1941 TEN CENTS

Exhibitors in Mexico Face Sharp Decline

eel Effect of Stoppage Of Majors' Product

By LUIS B. CELIS

MEXICO CITY, Oct. 7.—Condi- ons for exhibitors throughout exico are reported to have be- me worse with the suspension of liveries by the eight American mpanies Oct. 2 and scant hope an early settlement of their con- ct with the National Cinemato- aphic Workers Union.

All Mexico's 1,009 theatres are operating on a strike basis with programs that are steadily diminishing their business, which, in normal times, had been as good as 1,222,000 paid admissions a week for the entire country.

Exhibitors who conduct circuits in d about Monterrey, Torreon and

(Continued on page 7)

awrence Named Aide to Selznick

Laudy Lawrence, former Contin- ital European manager for United rtists, yesterday was appointed spe- al representative for David O. elznick.

Lawrence will make his headquar- rs here and will inaugurate his new ties with an extensive survey of the merican market and the available orld markets. He will arrive from e Coast tomorrow with Selznick and al Lewton, story editor for Selznick.

Lawrence is the first to fill the ost of special representative for the ew Selznick production company.

(Continued on page 7)

Ohio ITO Scores Senate Film Probe

COLUMBUS, O., Oct. 7.—The Senate nvestigation of the picture industry as been denounced as "unfair, biased nd un-American" in a resolution dopted by the directors of the ITO f Ohio, an Allied affiliate, in which he proceedings are characterized as a shameful attempt to smear a patriotic industry."

The resolution, released by P. J. Wood, organization secretary, reads, n part: "It is obvious that this is a hameful attempt to smear a patriotic ndustry with accusations which are njust and unfounded and intended

(Continued on page 6)

Court Rules 3-Year Deal Made in 1939 Valid Under Decree

Federal Judge Henry W. Goddard yesterday ruled that a three-year film deal entered into in September, 1939, by Mullin & Pinanski Theatres, Boston, with M-G-M, is valid under Section 15 of the consent decree and may remain in force throughout the new season.

Question of the status of the contract under the decree was raised by the Department of Justice which charged that deal sheets pertaining to it had been executed in November, 1940, and that the parties to the deal were in contempt of the decree, which exempts only those franchises entered into prior to June, 1940.

After hearing testimony from T. J. Connors, M-G-M's Eastern, Southern and Canadian sales manager, Judge Goddard ruled that the 1940 deal sheets were supplementary to the fran-

(Continued on page 6)

See Trial of Browne Taking Three Weeks

Government attorneys yesterday estimated that the trial of George E. Browne, IATSE president, and William Bioff, representatives of the union, on charges of extortion from four film companies, scheduled to start today in the Federal Court here, would last about three weeks.

Selection of a jury is expected to be speeded by the Federal Court rule which permits the judge to examine jurors for prejudice and forbids attorneys for either prosecution or defense from asking questions. If the jury is impanelled this morning, counsel will start their opening statements this afternoon, it was said.

Elect Arthur Kelly To MPPDA Board

Arthur W. Kelly, vice-president of United Artists, was elected to the board of the MPPDA yesterday as that company's representative, succeeding Maurice Silverstone.

Y. Frank Freeman, head of the Coast Producers Association, attended yesterday's board meeting, which had been adjourned from last Thursday because of lack of a quorum. Others at the meeting were: Barney Balaban, Nate J. Blumberg, J. Cheever Cowdin, Jack Cohn, George Borthwick, E. B. Hatrick, Will Hays, E. W. Hammons, W. C. Michel and Joseph Hazen.

Several Under Consideration For U.A. Head

Several persons are under consideration for the presidency of United Artists, it was learned last night. However, officials would not reveal the identities of any. Two of the potential presidents are known. One is an Eastern company head now on the Coast. In regard to him, the U. A. stockholders are awaiting word of his availability. Another is an Eastern company executive who the stockhold-

(Continued on page 6)

South Eases Sunday Ban For Soldiers' Film Shows

Many communities in the South, particularly in Louisiana and the Carolinas, have been induced to relax their Sabbath laws to permit film houses to remain open on Sundays while Army maneuvers are under way, USO offices have reported here.

A spokesman for the USO pointed out that the soldiers have virtually no means of entertainment while in the isolated sections where the maneuvers are held and local communities have cooperated to the extent of

(Continued on page 6)

Mich. Allied Opens Annual Convention

DETROIT, Oct. 7.—Allied Theatres of Michigan opened its 22nd annual convention at the Hotel Book-Cadillac here today, with Ray Branch presiding. The meeting will wind up tomorrow with the annual banquet.

"This industry has been good to us; let us be good to the industry," was the burden of the address of Claude F. Lee, director of public relations for

(Continued on page 6)

Anti-5 Ruling Prevents Film Sales in Minn.

Decree Violation Might Lead to Contempt

By SAM SHAIN

Since to sell otherwise than permitted under the New York Case Consent Decree would be a violation of that decree and therefore subject them to possible contempt proceedings, the five consenting companies cannot undertake to distribute their product in Minnesota other than as provided by the decree, it was authoritatively stated yesterday.

Therefore, these authorities state, except to seek an appeal from the recent court decision in Minnesota upholding that State's anti-block-of-five law, which is felt to be an unsatisfactory way to proceed at this time, the remedy for the companies would be through legislative methods. Officials hope that this can be achieved eventually.

The same spokesmen assert that there is no consideration being given at this time to establishment of distribution facilities for Minnesota from centers or exchanges outside that State.

Warners Will Abide By Decree: Sears

Indicating that Warners will not resume selling in Minnesota "until a final ruling is made by the highest court" on the constitutionality of the State's anti-block-of-five law, Gradwell L. Sears, general sales manager, stated yesterday that the company feels it "must conform to our national methods of distribution as approved and laid down by the Federal Government in the consent decree."

Sears said: "We sympathize with all exhibitors in Minnesota who are confronted with the drastic situation . . . however, as a national institution doing business in 48 states and territories we cannot survive if we are to do business in 48 different methods and at the same time conform to those principles laid out by our Federal Government controlling interstate commerce.

"Vitagraph, Inc., deplores its loss

(Continued on page 6)

Short Subject Review

"Bomber"

(Office for Emergency Management)

A DOCUMENTARY, or "defense report," this is an item of importance for theatremen to exhibit. While the screen merely depicts aircraft workers engaged at the Glenn L. Martin plant, the soundtrack carries a significant message—an admonition to aggressors to steer clear of the U. S. The value of the short is not only in what is being seen but also, and primarily, in the fine commentary which Carl Sandburg has contributed. He has given a degree of interest to a subject which might have been dull as theatrical material in spite of its significance.

The short was made by the film unit of the Office for Emergency Management and is being released by various exchanges around the country through the Motion Picture Committee Cooperating for National Defense. Running time, 8 mins. Available now.

Todd Signs Powell For Musical Show

Michael Todd has signed Dick Powell for a role in Todd's new musical show, "And So to Bedlam," which will go into rehearsal on Oct. 15. Powell joins Ned Sparks, Gypsy Rose Lee and Jed Prouty in the cast.

Forms Theatre Firm

RICHMOND, Oct. 7.—Capitalized at $50,000, the Hull Street Theatre Corp. has been organized here to conduct a general amusement business. M. G. Thalhimer is president.

Personal Mention

LOUIS B. MAYER, M-G-M vice-president in charge of production, is here from the Coast.

•

JOSEPH M. SCHENCK is expected in town today.

•

SAM PINANSKI will return to Boston today following a five-day visit here.

•

HAL HORNE has returned from the Coast.

•

HERMAN WOBBER, 20th Century-Fox director of distribution, is expected at the studio today from San Francisco.

•

JOHN BOLAND is in town. He is continuing to Chicago.

•

H. C. D. MAIN, Ontario supervisor of Odeon Theatres of Canada, at Toronto, is the father of a daughter, born this week.

•

C. F. DEANE, former manager of the Rialto, Abbott and Uptown theatres in Huntington, W. Va., will leave shortly for London to serve with the British as a radio operator.

•

MORRIS JACOBSON of the Strand Amusement Co., Bridgeport, Conn., has returned from a brief vacation.

•

BERNARD B. KEENEY, son of C. G. KEENEY, manager of the Park Theatre, Reading, Pa., has been accepted for training in the Royal Canadian Air Force.

T. J. CONNORS, Eastern, Canadian and Southern division manager for M-G-M, returned to New York yesterday.

•

EDWARD C. RAFTERY of O'Brien, Driscoll & Raftery returned to New York yesterday after seven weeks on the Coast.

•

JOHN J. FRIEDL of Minnesota Amusement Co. is here for Paramount home office conferences.

•

O. R. HANSON is in town.

•

MARY RANSONE, vice-president of University Films, is in Columbus, Ohio.

•

GEORGE SOBEL, prominent Philadelphia exhibitor, has been elected Junior Vice Commander of the Clair Post, American Legion.

•

PATRICK S. MCMAHON, operator of the State Theatre, New Britain, Conn., was given a bachelor dinner this week at the Red Quill Inn.

•

RUTH SCHWERIN is now associated with the Tom Fizdale publicity office.

•

FAY REEDER, Fox West Coast theatre manager in Sacramento, won the low net prize in a recent American Legion golf tournament there.

•

JOSEPH EHRLICH of the 20th Century-Fox home office is in Providence this week.

•

FRANK LYONS, assistant at the Hippodrome in Bridgeport, Conn., has taken a defense job.

Fay Resumes Stage Show in Providence

PROVIDENCE, Oct. 7.—Edward M. Fay will revert to his traditional policy of film and stage programs at Fay's Theatre beginning Friday. The stage presentations will be built around an orchestra led by Al Jahns. For the remainder of the show, acts will be booked by Fay from week to week.

For the past year or so, Fay's has played double-feature action programs at a 15-cent to 35-cent scale. For the new combination shows, the house will be scaled at 20 cents, 33 cents, 44 cents, and 15 cents for children at all times.

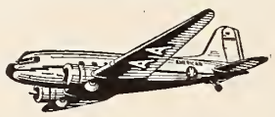
'Dumbo' Opens at Broadway Oct. 23

"Dumbo," new Walt Disney feature released by RKO, will open at the Broadway Theatre here on the evening of Oct. 23, according to Ned E. Depinet, RKO distribution head, and Roy Disney, vice-president of Disney Productions.

Following the premiere the film will be shown on a continuous run policy at the theatre, replacing "Fantasia" Disney film now in its 11th month.

Enlarge RKO Exchange

WASHINGTON, Oct. 7. — The RKO exchange building here is being enlarged under the supervision of Robert J. Folliard, branch manager.



5 COOL, COMFORTABLE WAYS TO GO TO

LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:55 pm and 5:10 pm 1:31 am and 1:27 am 7:52 am and 7:37 am
THE PLAINSMAN	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:10 pm 1:20 am 7:44 am
THE SOUTHERNER	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	11:15 pm 8:24 am 3:12 pm
THE SUN COUNTRY SPECIAL	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	6:45 am 4:41 pm 12:45 am

For reservations, call your Travel Agent or HAvemeyer 6-5000.
Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Newsreel Parade

THE midweek issues of the newsreels offer a resume of World Series highlights as well as coverage of important football games, which sport is now slated to supplant baseball as sports material in forthcoming reels. War news comes chiefly from the Near East. The contents:

MOVIETONE NEWS, No. 9—Supreme Court convenes. Army maneuvers in South Carolina. Windsors in Alberta. British troops in Near East. War casualties arrive in Sydney. World Series. Football: Penn, Harvard, Tulane-Auburn.

NEWS OF THE DAY, No. 207—World Series. Notre Dame-Indiana, Fordham-M. U. football. War games in South Carolina. Roosevelt supports charity drive. Supreme Court in session. Churchill greets young adventurers in England.

PARAMOUNT NEWS, No. 12—Windsors at Alberta ranch. Parachutist perched at Wyoming mountain. Conway, N. H., girl found after eight-day search (shipped separately). War situation in Cyprus, Iran and Tobruk. World Series.

RKO PATHE NEWS, No. 12—Siege of Tohruk. New justices in Supreme Court. Churchill and boy adventurers. Windsors in Alherta. "One Foot in Heaven" premiere in Washington. Cyprus prepares for invasion. Fordham-S. M. U., Duke-Tennessee football. World Series.

UNIVERSAL NEWSREEL, No. 21—War games in South Carolina. Iran campaign. Windsors in Alherta. Washington premiere of "One Foot in Heaven." Other State-U. S. C., Duke-Tennessee football. World Series.

Phila. Club Auxiliary Will Install Today

PHILADELPHIA, Oct. 7.—The Ladies Auxiliary of the Variety Club will install officers for the coming year at a luncheon tomorrow in their clubroom in the Bellevue-Stratford Hotel. The incoming president is Mrs. Elmer Wilschke with Mrs. Charles Zagrai retiring from the office. The latest activity of the Auxiliary was the purchase of a $1,000 bus-ambulance to transport crippled children to and from the public schools.

Frank L. McNamee will be general chairman of the Variety Club's annual banquet on Dec. 11 at the Bellevue-Stratford.

In Chicago Theatre Post

CHICAGO, Oct. 7.—Ben Newman has succeeded Robert Montgomery as representative of the Oriental Theatre here.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Ladies Meet' Hits $16,000, Philadelphia

PHILADELPHIA, Oct. 7. — Business sluggish last week in face of the gious holidays and the reopening of hallrooms in the city, each featur- name bands. "When Ladies at the Boyd drew $16,000 while armon of Michigan," with Jan Sav- orchestra on the stage, gave the le $20,000.

stimated receipts for the week end- Sept. 30-Oct. 3:

jor Barbara" (U. A.)
EDINE—(1,400) (35c-41c-46c-57c-68c) 7 s. Gross: $7,000. (Average, $9,000)

. Jekyll and Mr. Hyde" (M-G-M)
RCADIA—(600) (35c-46c-57c) 7 days, 2nd 2nd week. Gross: $3,000. (Average, 00)

hen Ladies Meet" (M-G-M)
OYD — (2,400) (35c-41c-46c-57c-68c) 7 s. Gross: $16,000. (Average, $13,000)

rmon of Michigan" (Col.)
ARLE — (4,000) (35c-41c-46c-57c-68c) 7 s. Vaudeville including Jan Savitt's estra, Allan DeWitt, The Four Top- , Al Lepoi, Toy & Wing, The Whitson thers and Rufe Davis. Gross: $20,000. erage, $14,000)

essed to Kill" (20th-Fox)
AY'S — (2,190) (15c-29c-35c-46c-57c) 7 s. Vaudeville including Eve Arden, ny Burke, Cina & Cortez, Miller-Wat- & Byrne, Robert Baxter, Gae Foster yettes and Billy Klaiss' orchestra. ss: $6,900. (Average, $6,900)

is Woman Is Mine" (Univ.)
DX—(3,000) (35c-41c-46c-57c-68c) 7 days. ss: $10,000. Average, $13,000)

re Comes Mr. Jordan" (Col.)
ARLTON—(1,000) (35c-41c-46c-57c-68c) 7 s, 2nd run. Gross: $6,000. (Average, 00)

dy Be Good" (M-G-M)
EITH'S—(2,200) (35c-41c-46c-57c-68c) 7 s, 2nd run. Gross: $4,800. (Average, 00)

thing But the Truth" (Para.)
TANLEY—(2,700) (35c-41c-46c-57c-68c) 7 s, 2nd week. Gross: $11,500. (Average, 00)

w of the Tropics" (W. B.)
TANTON—(1,700) (35c-46c-57c) 7 days. ss: $5,000. (Average, $4,500)

oxes' Holds Pace t $11,000 in Buffalo

UFFALO, Oct. 7. — "The Little es" continued strong in a second k at the Twentieth Century with 000. "Navy Blues" and "Man At ge" made $13,200 at the Buffalo.

stimated receipts for the week end- Oct. 4:

vy Blues" W. B.)
n At Large" (20th-Fox)
FFALO — (3,489) (35c-55c) 7 days. ss: $13,200. (Average, $12,000)

dy Be Good" (M-G-M)
e Go Fast" (20th-Fox)
REAT LAKES—(3,000) (35c-55c) 7 days. ss: $8,900. (Average, $7,500)

ve Bomber" (W. B.)
arlie Chan in Rio" (20th-Fox)
IPPODROME—(2,100) (30c-50c) 7 days, week. Gross: $6,300. (Average, $6,800)

e Little Foxes" (RKO)
WENTIETH CENTURY—(3,000 (35c- 7 days, 2nd week. Gross: $11,000. erage, $7,500)

finished Business" (Univ.)
onlight in Hawaii" (Univ.)
AFAYETTE—(3,000) (30c-44c) 7 days. s: $7,700. (Average, $6,300)

ilson Now Heads Pittsburgh AGVA

ITTSBURGH, Oct. 7.—Officers elect- here by the American Guild of iety Artists were Jack Wilson, sident; P. J. McDonough, Lou r, Phil Lowery, Margaret Peka, tis Coley, and Cornell Cooper, -presidents. Eva Herbert was ed treasurer, and Carol Gould, rding secretary. Nat Nazzarro, continues as executive secretary.

Reviews

"Texas"

(Columbia—1941-'42 Release)

WHETHER director George Marshall or producer Samuel Bischoff set out to prove that the western formula is still one of the best for motion pictures when done with imagination and spirit, or whether they set out simply to make a picture which will be box-office for all kinds of audiences, old and young, sophisticated and naive, the fact is that both objectives have been achieved in "Texas."

The prizefight between William Holden and Lyle Lytell, staged under the rules which existed before the Marquis of Queensbury laid down his own set of boxing laws, deserves to go down in film annals as one of the funniest sports events ever screened.

The picture, set in Texas immediately after the Civil War, relies for its appeal on the almost standard plot of westerns—cattle rustling, dishonest leading citizens, gunplay, hard riding and fist fights. It triumphs, however, by the adroit use of these commonplace situations and an excellent cast. Holden and his pal, Glenn Ford, are cast as two adventurers; Claire Trevor is the daughter of a ranch owner killed by the rustler gang; George Bancroft is head of the gang; Edgar Buchanan gives a topnotch performance as a rural dentist in league with the thieves, and Andrew Tombes gives another first rate performance as one of the gunmen.

When Holden and Ford are forced to separate, the former joins with the outlaw gang while the latter seeks the right side of the law. Both fall in love with Miss Trevor but the ultimate death of Holden resolves the triangle.

Running time, 94 minutes. "G."* EDWARD GREIF

"Dangerous Lady"

(Producers Releasing—1941-'42 Release)

CONFUSED direction of a murder mystery story that is itself involved hampers the movement in this picture. It is chiefly an assortment of illogical murders and over-dramatic situations with comedy effects added.

June Storey, Neil Hamilton, Douglas Fowley, John Holland and Emmett Vogan are principally concerned in the melodrama, whose theme is the private detective and his attorney wife vying with the police in solving a series of crimes. Bernard B. Ray produced and directed, with George R. Batcheller in charge of production.

Running time, 66 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

"The Man Who Seeks the Truth"

(Dome Films, Inc.)

A FRENCH importation, one of the last, obviously, this somewhat philosophical film treatise features the very capable person of Raimu, one of the ablest of French film performers. This interesting satire pictures the effort of an honest man to learn the truth, by the simple but ingenious device of feigning complete deafness, thus learning exactly what those who fawn upon him really think of him.

They include the sponging sister and brother-in-law, the girl with whom he is in love, the boy who is like a son to him, and his own butler. Only one, an old friend and employe in the bank of which Raimu is the head, knows his secret, and he keeps silent.

The film is definitely for adult audiences of those metropolitan theatres which cater to the so-called more sophisticated type of audience. Alexander Esway directed with skill. The production was by J. Bercholz for Gibe-Films of Paris, and is said to have been completed shortly before the fall of France. English subtitles are ample and complete.

Running time, 75 minutes. "A."* CHARLES S. AARONSON

**"A" denotes adult classification.*

Grant, Massey in 'Old Lace'

HOLLYWOOD, Oct. 7. — Cary Grant and Raymond Massey have been signed for "Arsenic and Old Lace," which Frank Capra will produce for Warners.

RKO Sets Shirley, Murphy

HOLLYWOOD, Oct. 7.—Anne Shirley and George Murphy have been set by RKO to co-star in "Mayor of 44th St.," which Alfred E. Green will direct.

'Blues' Opening City Not Yet Determined

Paramount has not yet determined whether the Oct. 31 world premiere of Paramount's "Birth of the Blues" will be held in Memphis or New Orleans. It was originally scheduled for Memphis, but Gov. Sam H. Jones of Louisiana in a telegram to Y. Frank Freeman, Paramount vice-president in charge of the studio, has asked that the premiere be held in New Orleans.

'Honky Tonk' With $33,500 Leads Boston

BOSTON, Oct. 7.—"Honky Tonk" coupled with "Harmon of Michigan" gave the Loew's State and Orpheum a total gross of $33,500. "Sun Valley Serenade" and "The Gay Falcon" in the second week at the Keith Memorial grossed $17,500.

Estimated receipts for the week ending Oct. 1-3:

"Mexican Spitfire" (RKO)
KEITH BOSTON — (2,697) (28c-44c-55c-65c) 7 days. Vaudeville including the Three Stooges and John Boles. Gross: $10,100. (Average, $8,000)

"Sun Valley Serenade" (20th-Fox)
"The Gay Falcon" (RKO)
KEITH MEMORIAL—(2,907) 28c-33c-44c-55c) 7 days, 2nd week. Gross: $17,500. (Average, $16,000)

"Navy Blues" (W. B.)
"Highway West" (W. B.)
METROPOLITAN—(4,367) (28c-39c-44c-55c) 7 days. Gross: $11,600. (Average, $15,500)

"Hold Back the Dawn" (Para.)
"Henry Aldrich for President" (Para.)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $9,000. (Average, $7,500)

"Hold Back The Dawn" (Para.)
"Henry Aldrich for President" (Para.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $4,800. (Average, $4,500)

"New York Town" (Para.)
"Flying Blind" (Para.)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $3,900. (Average, $4,000)

"Honky Tonk" (M-G-M)
"Harmon of Michigan" (Colo.)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $15,500. (Average, $12,000)

"Honky Tonk" (M-G-M)
"Harmon of Michigan" (Col.)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days. Gross: $18,000. (Average, $17,500)

'Dawn' Kansas City Winner with $8,500

KANSAS CITY, Oct. 7.—"Hold Back the Dawn" scored $8,500 at the Newman, leading on a comparative basis. "You'll Never Get Rich" and "Harmon of Michigan" at the Midland took $9,500.

Estimated receipts for the week ending Oct. 2:

"Belle Starr" (20th-Fox)
"This Woman Is Mine" (Univ.)
ESQUIRE—(800) (30c-44c) 8 days, 2nd week "Belle Starr." Gross: $2,000. (Average, $2,200)

"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $9,500. (Average, $8,500)

"Hold Back the Dawn" (Para.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $8,500. (Average, $7,000)

"Dive Bomber" (W.B.-F.N.)
ORPHEUM—(1,900) (28c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)

"Ice Capades" (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: Tyler and Renaud, June Hart, Three Orantos, Reynolds and Roberts. Gross: $7,200. (Average, $6,000)

"Belle Starr" (20th-Fox)
"This Woman Is Mine" (Univ.)
UPTOWN—(2,000) (30c-44c) 7 days, 2nd week "Belle Starr." Gross: $2,500. (Average, $3,000)

Libson Will Aids Charity

CINCINNATI, Oct. 7.—Three local synagogues and Jewish organizations, as well as institutions in Cleveland and Denver were beneficiaries under the will of Abe Libson, secretary and treasurer of several picture operating companies, who died recently of a heart attack. Bequests also were made to his widow, his brother, Isaac Libson and other members of the family.

TALK ABOUT SALES POLICY!

"Hello, M-G-M! What's your Sales Policy this year?"

"Sales Policy Mr. Exhibitor? It's the M-G-M Policy!"

"That's okay with me, M-G-M!"

The advertisement to the left appeared in the trade press a year ago.



"SHAKE!" SEAL OF AN M-G-M DEAL!



The Capitol, N. Y. goes into its 2nd week!

"IT'S BEEN TRUE FOR 17 YEARS! IT'S TRUE TODAY!"





THE FRIENDLY COMPANY IS A BALL OF FIRE!

"Honky Tonk" held over everywhere!
First 42 engagements doing
229% of normal biz.
The fans are delirious about it!
Clear the decks for that
Clark Gable-Lana Turner
"Honky Tonk" kiss—it's cyclonic!
Whee! That M-G-M Lion
Is running wild. Not in all his
Metro-golden years
Has he equalled
This season's flying start!
Beginning with
"When Ladies Meet"
"Dr. Jekyll & Mr. Hyde"
"Lady Be Good"
M-G-M now delivers the
Bonanza "Honky Tonk."
Watch for trade shows on
"Unholy Partners," "Chocolate Soldier"
"Two-Faced Woman"
"Shadow of the Thin Man."
You'll see HITS! HITS! HITS!
All year long from Leo.
The Friendly Lion will
Never let you down!

Several Under Consideration For U.A. Head

(*Continued from page* 1)

ers expect will bring fresh financing into U. A.

Arthur W. Kelly, vice-president in charge of distribution, is the present active head.

The establishment of a new administrative setup for United Artists depends upon who will be selected for the presidency. Although the stockholders are scheduled to meet tomorrow to discuss this matter, it is held by observers not to be certain that the presidency will be disposed of at that time.

David O. Selznick is expected in Chicago from California tomorrow by train. Whether he is coming on for the meeting by plane since that is the only way in which he can arrive on time for the meeting does not seem to be known at the home office. Alexander Korda and Mary Pickford are already here.

Actually, the final papers in the Selznick deal have not been signed but all parties are confident that the deal will go through as announced on the Coast, as soon as the administrative setup is decided upon, if not before that.

Selznick's ultimate interest of stock, it is stated, will amount to one-sixth of the authorized shares of U. A., or one-fourth of the outstanding stock.

Approval Sought for Fox Claim Settlement

Leopold Porrino and Kenneth P. Steinrich, trustees of Fox Theatres Corp., asked the N. Y. Supreme Court yesterday for approval of a proposed settlement of claims and counterclaims between the company and William Fox. Under the proposed settlement set forth in the application Fox would pay $25,000 to the company and releases would be exchanged as a final settlement of all disputes.

The application pointed out that while the company has substantial claims against Fox, he has filed counter-claims in excess of $7,000,000. In addition, the petition said further proceedings against Fox probably would cost in excess of $250,000, with the results of litigation dubious. The trustees stated that approval of the settlement would make available to other creditors the sum of $85,000 now held by the trustees in reserve as Fox's proportionate share of dividends. Porrino and Steinrich were designated by the Federal Court as trustees in a plan which calls for the final liquidation of the assets of Fox Theatres.

Storm Damage Light To Theatres in K.C.

KANSAS CITY, Oct. 7.—The tornado which yesterday struck the Eastern part of this city and the interurban district damaged the roof of one theatre in Fairmount, suburban community, where street traffic was halted today because of fallen trees.

One other outlying theatre was closed last night when electric power failed. Downpours of rain over most of this city yesterday afternoon cut evening theatre attendance.

Average U.S. Family Spent $11 for Films in 1935-1936

WASHINGTON, Oct. 7.—The average American family spent $11 for motion picture theatre admissions in 1935-'36, but by income levels the expenditure ranged from $2 for families with less than $500 a year to $51 for those with $10,000 or more, it was reported tonight by the National Resources Planning Board.

Reporting on the purchasing power of the country, the board showed that city dwellers spent two to three times as much on motion pictures as farm families in the same income bracket.

This difference ranged between $2 for farm families and $6 each for rural non-farm families and urban families with income of $500 to $1,000, and $20 for farm families and $34 for rural non-farm families and $44 for city families with income of $5,000 to $10,000 a year.

Motion pictures were found to be the most important single source of recreation for families in the lower income brackets but less important to families with substantial incomes. Among families with incomes under $500 a year, one-third of the recreational expenditures were for admissions, but for families with $10,000 or more motion pictures accounted for less than 10 per cent. For the country as a whole, it was estimated that film theatre admissions accounted for approximately 25 per cent of all recreation expenditures.

1939 Deal Decided Valid Under Decree

(*Continued from page* 1)

chise entered into in 1939 and that the three-year deal was a valid one. The ruling exempts the deal from the block-of-five provision of the decree for this season.

Among those attending the hearing were: Thomas D. Thacher and Louis Phillips, Paramount attorneys; E. W. Aaron, M-G-M; Maurice N. Wolf, M-G-M New England district manager, and Benjamin Trustman, Boston attorney.

Glenda Farrell Cast

HOLLYWOOD, Oct. 7.—Glenda Farrell has been signed by Edward Small for "Twin Beds," replacing Binnie Barnes, who is ill.

Mich. Allied Opens Annual Convention

(*Continued from page* 1)

Paramount, at the business session.

"All the people I know in the motion picture business are good Americans, and the only 'isms' they love are Americanism and patriotism," Lee told the delegates. "We must continue to believe in and express ourselves in favor of Americanism with the same fervor and energy as does the fanatical propagandist of anti-Americanisms.

"Equally with industry leadership, the community exhibitor shares the responsibility of interpreting to the world the motives and conduct of the institution of the motion picture. Together they give to this business its personality and its very good character."

South Eases Sunday Ban For Soldiers' Film Shows

(*Continued from page* 1)

relaxing the laws for Sunday film shows.

In addition, the USO has sound trucks in operation to accompanying the various armies. Frequently, the men find themselves 40 to 50 miles from the nearest town at the end of the day, it was said, and mobile film units are therefore necessary. The trucks play records for about 30 minutes and follow it with shorts and a feature film. There were three trucks in operation in Louisiana and four were planned for the Carolinas. Approximately 3,000 men can watch the film simultaneously, it was said, and efforts are made to conduct more than one show a night.

For Maneuvers Only

It was explained at USO offices that the effort to obtain relaxation of Sabbath laws extended only to the locations and the periods of maneuvers and there was no effort contemplated to obtain Sunday film shows in such areas near camps where they are now forbidden. Ordinarily, the USO conducts its activities away from camps but makes an exception during maneuvers, it was said by officials.

Meanwhile, the Citizens Committee for the Army and Navy, which provides free entertainment in camps, reported yesterday that it has under discussion with the War Department a plan for indoor stage shows after cold weather forces discontinuance of outdoor programs. Eddie Dowling has been named director of this phase of the committee's program. Up to yesterday, the committee had given 1,037 shows to an estimated total of 3,200,000 in the audiences.

Unaffected by Pay Rule

An official of the committee stated that it was not affected by the recent Theatre Authority ruling that all performers appearing at Army and Navy camps must be paid. It was pointed out that the committee has always paid talent and production heads. However, at Theatre Authority offices it was said that the committee's program, although extensive, failed to meet all entertainment needs and many individual camp groups had requested talent to appear without payment. Such groups will now be compelled to pay the performers, it was said.

Warners Will Abid By Decree in Minn Situation: Sear

(*Continued from page* 1)

of revenue and more particularly loss of public response to its gr new season's attractions, but the sponsibility is not Vitagraph's but at the door of that exhibitor gro who sponsored this legislation," stated.

Indicating, however, that a final decision as to Warners' future course in Minnesota has not been made, Sears said: "Whatever course of action decided upon by this company as to its future course of business in Minnesota will be done independently and without meeting with anyone."

The six companies opposing t Minnesota law have until Oct. 23 take action either on an appeal fro the decision denying them an injun tion against enforcement of the law on an application to Federal Judg Henry W. Goddard here for an e emption from the decree's sellin method insofar as Minnesota is co cerned.

As company attorneys made a rangements for conferring on th problem with sales and other com pany executives yesterday, there ap peared to be no unanimity of view points among them, giving rise t speculation that several may elect t follow different courses of action.

F.P. Canadian Buys Imperial in Ottaw

TORONTO, Oct. 7.—Famous Player Canadian Corp. has bought for cas the Imperial Theatre in Ottawa, Ont. for a price of $77,500, according t the official data filed with the Regis try Office for September. The pur chase was made from the estate o Daniel O'Connor.

With the acquisition of the Geneva Theatre, Orillia, Ont., a unit of the former Hanson circuit, by 20th Century Theatres, a number of changes in personnel have been made by the affiliate of Famous Players Canadian. Ralph Tiede, manager of the new Centre Theatre, Chatham, has been appointed manager of the Geneva in succession to Grant Garrette, transferred to the Toronto office of Odeon. Harold Horton, former assistant at the Vanity, Windsor, has been named to the Chatham Centre. Harland Rankin has been promoted to supervisor of the Centre and Park, Chatham.

Ohio ITO Scores Senate Film Probe

(*Continued from page* 1)

viciously to influence and arouse prejudice—racial, religious and political—and to defame and discredit motion pictures and all those engaged in the business.

"The board of directors denounce the entire proceedings as unfair, biased and un-American."

Miss Massey on Tour

Ilona Massey and her husband, Alan Curtis, have left Hollywood on a transcontinental tour, planning to visit a number of cities on their way East.

Exhibitors in Mexico Face Sharp Decline

(Continued from page 1)

ihuahua City, Guadalajara, the stern metropolis that is Mexico's d largest city, along the Pacific and in many parts of the South, reported to have asked the Fed- l Board of Conciliation and Arbi- tion for authorization to reduce rsonnel and pay, explaining that or programs are steadily decreasing eir business. It is said that the ard will be obliged to grant this rmission, though film labor is loud- protesting against it.

Varied Programs

Local theatres are presenting odd ograms. Only one of the six local st runs, the Magerit, is featuring a ajor American picture, "Tom, Dick d Harry" (RKO). The Olimpia is aying an American, "Misbehaving usbands" (PRC) second to a rench film. The Alameda is exhibit- g a Mexican picture. A French film the feature at the Rex. An Argen- ne has the lead at the Iris. The alacio Chino is cleaning up with the est Mexican, "Ay, Que Tiempos, nor Don Simon" ("Those Were e Days, Senor Don Simon"), musi- l comedy produced by Films Mun- ales, whose manager, Agustin Fink, now in Hollywood. This picture s already set a box-office record for Mexican film, grossing $23,500 in first 15 days at 55 cents for the st two weeks and now, in its third eek, at 32 cents.

Even stranger fare is the order of ings in the subsequent runs. Such d timers as "Lloyd's of London" are ing exhibited. Lots of Argentines d old Mexican films are being own. But the biggest of them, the ne Colonial, seating 6,000, is exhib- ng "That Hamilton Woman" J.A.) and oddly, "Kit Carson," ich was recently forbidden by the overnment on the ground that some its characters disparage Mexicans. ne ban was suddenly but quietly ted. The Colonial top is 32 cents, gh for a local subsequent.

Labor Discontent

Discontent is reported increasing ong the rank and file of picture or. There is sharp criticism of the or leaders by the workers and sec- rs of the press, because of their isting that the major Americans et all their demands.

Picture workers are saying that the ason their leaders have not held gen- al meetings of the union in nearly days is because the chiefs fear to e their fellows en masse, to avoid inted questions.

Labor difficulties threaten to elimi- te the only two remaining active gitimate theatres here, the Ideal and e Fabregas. The former has been rved with the notice of a strike to art Oct. 11 unless it agrees to raise musicians' daily pay to $3.15 from .65, its chorus girls' daily stipend om $1.25 to $1.65 and the royalty of riters who supply its plays from 5 r cent to 10 per cent. The manage- ent has declared that business does t justify these increases. Like de- ands have been made upon the Fab- gas, but there is no strike threat as yet against this house, which is func- tioning under a Civic Government sub- sidy.

Mexican producers have stepped up their output. Nearly every week sees a picture started. Maro Aurelio Ga- lindo, author-newspaperman, who with his brother, Alejandro, the director, has been a writer for some time, is ar- ranging a new kind of production of "Romeo and Juliet" which Cinemato- grafica Maga, S.A. is to produce this Fall.

Peace was obtained by the Cine Royal, leading theatre in Empalme, a junction in Sonora state of the Southern Pacific Railway of Mexico, with the signing of a contract to end a 15-day strike. The exhibitor granted all demands.

Expect Shutdown in Mexico Tomorrow

A complete shutdown of major com- pany offices in Mexico City is expected by many home office foreign depart- ments to materialize tomorrow, the new strike deadline set by the Mexi- can film workers union against 20th Century-Fox, Universal and United Artists.

Those three companies are the only ones which remain open although, ac- cording to reports from Mexico City, they have discontinued film service to theatre accounts with the expiration on Sunday of a 30-day notice to their accounts.

All distributors are maintaining a united front in the face of the union's demands and unanimously rejected a compromise settlement offer made by the union late last week, it was re- ported.

Mexican theatres may not face a product shortage for another 60 days if the complete shutdown materializes tomorrow, officials of home office foreign departments said yesterday.

Six Studios Buy 13 Story Properties for Production

Hollywood, Oct. 7

SIX studios have announced acquisition of film rights to 13 prop- erties, Paramount leading the parade by buying four.

"Frenchmen's Creek," new DAPHNE DU MAURIER novel, has been purchased by Paramount, following bidding by five studios for the latest output of the author of "Rebecca." The other new properties were "Black Curtain," CORNELL WOOLRICH novel dealing with an amnesia victim who commits murder, then solves the crime; "The Crystal Ball," by STEVEN VAS, and "The Passionate Witch," by the late THORNE SMITH, as a vehicle for VERONICA LAKE, with RENE CLAIR directing and Preston Sturges as producer.

Republic bought "Golden Portage," novel serialized by the *Saturday Eve- ning Post* from the pen of ROBERT ORMOND CASE with RAY MIDDLETON tentatively set as the star; and "At- lantic Patrol," story of destroyers by MARTIN WILLIAMS.

The novel, "Above Suspicion," by Helen MacInness, and which is set in England, Paris and Germany, and a comedy, "Noth- ing Ventured," by Ian McLellan Hunter and Aileen Hunter, were acquired by M-G-M.

"Angel Face," JEAN C. BECKET'S story which appeared in the *Saturday Evening Post,* was purchased by RKO as a vehicle for nine-year-old Joan Carroll. A LADISLAS FODOR play, "The Night Before the Divorce," was acquired by 20th Century-Fox as a possible vehicle for LYNN BARI.

Warners have bought the screen rights to the life of CHARLES DANA GIBSON, the illustrator, which ROBERT BUCKNER will produce, and "Country Lawyer" and its sequel. "Big Family," by BELLAMY PARTRIDGE.

• •

Monogram and Republic are hav- ing their busiest month in years this month, the former starting six pic- tures and the latter, seven, by Oct. 31. Leading off Monogram's list will be "Boy of Mine," SCOTT R. DUNLAP production starring JOHN BOLES. Pic- tures which started since the first of the month there are "Bullets and Bullion," "Double Trouble," "I Killed that Man," "Borrowed Hero" and "Forbidden Trails."

Republic will get under way: "Tuxedo Junction," Weaver Brothers and Elviry comedy; "Missouri Out- law," Don Barry action film; "Mr. District Attorney and the Carter Case"; "Marines on Parade," the AL PEARCE film; "Red River Valley," ROY ROGERS western; "West of Cimarron," Three Mesquiteers west- ern, and the musical, "Yokel Boy."

• •

A new production organization has been formed to produce five pictures based on W. C. Tuttle's famous "Hashknife Hartley" western stories. H. A. FORBES is executive vice-presi- dent of the firm, yclept Sunbeam Film Productions, Inc., and NATE WATT will produce and direct the series. Titles of the five are "Twisted River," "The Deadline," "Ghost Trails," "Bluffer's Luck," and "Wild Horse Valley." ROBERT M. BECHE is production manager.

• •

Another new production com- pany has been formed by Leslie Charteris, author of the famous "The Saint" stories, who dis- solved his contract for the series at RKO, and is embarked on his own producing outfit. Frances Langford is definitely set for the feminine lead, and John Carroll, Henry Wilcoxon and others are being tested for the title role.

• •

OLIVIA DE HAVILLAND will co-star with BETTE DAVIS in Warners' "In This Our Life," based on the best seller by ELLEN GLASGOW.

Lawrence Named Aide to Selznick

(Continued from page 1)

Lowell Calvert continues in charge of Selznick-International Pictures, in liquidation, here. Lawrence returned to New York from Europe about a year ago when the war had reduced Continental film operations to a negligible volume.

Wilkes-Barre Area Blackout on Friday

Wilkes-Barre, Pa., Oct. 7.— A blackout will be held in this region Friday night, it was announced, after ar- rangements had been com- pleted with Army officials to check on the area as part of the nationwide test. Theatre fronts and marquees will be darkened during the blackout but the houses will be open.

Name Committees for Pa. Allied Convention

PITTSBURGH, Oct. 7.—M. A. Rosen- berg, general chairman of the annual convention of Western Pennsylvania Allied, to be held Oct. 21 and 22 at the Hotel Roosevelt here, has named the following convention committees:

Entertainment — M. N. Shapiro, chairman; Ed T. Beedle, Sam Fleish- man, F. E. Hasley, Norman Huhn, Robert Lieber, Carl Poke and Harry Walker. Publicity—Frank Panoplos, chairman; Robert Klingensmith, Harry Rachiele, Jake Soltz, Rudolph Navarri, F. H. Shearer and Archie Fineman.

Rosenberg left for Detroit today to attend the Michigan Allied convention there. Fred Beedle is president of the Western Pennsylvania Allied.

Will Hear Censor Appeal

ALBANY, Oct. 7.—A subcommittee of the State Board of Regents in New York on Thursday will hear the ap- peal of Cinema Service Corp. on "They Must Be Told," which recently was rejected by Irwin Esmond, state censor. The film will be screened at that time.



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NBC 14-Year Profit Put at $30,041,173

NBC earned a total profit of $30,041,173 in the period from its organization in 1926 until Dec. 31, 1940, it was revealed yesterday by Manton Davis, RCA vice-president and general manager, at a hearing before Referee Abraham J. Halprin on the fairness of a $1,000,000 settlement offer by General Electric and Westinghouse Electric and Manufacturing Co. in an accounting action brought by RCA stockholders.

Reveals Dividends

NBC, now a wholly-owned RCA subsidiary, turned over to RCA $22,550,000 in dividends during that period and contributed an additional $2,050,000 toward research activities in the radio field, Davis testified. Originally, RCA had only 50 per cent of the stock with G. E. retaining 30 per cent, and Westinghouse 20 per cent, but RCA obtained 100 per cent ownership in 1930.

RCA in its yearly balance sheets does not reveal the separate earnings of subsidiary companies such as NBC. At present, Davis said, NBC is capitalized at $6,500,000.

Orders Consolidation

Halprin was appointed by the N. Y. Supreme Court, where the accounting action is pending, to conduct hearings and report on the fairness of the settlement offer. Meanwhile, N. Y. Supreme Court Justice Peter Schmuck yesterday denied an application by six RCA stockholders to set aside the hearings and refused them permission to intervene in the suit. In a separate decision, Justice Schmuck ordered six suits pending in courts other than the N. Y. Supreme Court to be consolidated with the Supreme Court action and directed that all RCA stockholders be stayed from prosecuting their suits until Halprin renders his report.

Bottorff Named Head Of NBC Concert Unit

O. O. Bottorff yesterday was named president of the Civic Concert Service, Inc., a wholly owned NBC subsidiary which conducts concerts in several hundred cities of the country and books concert artists. D. L. Cornetet was named vice-president and Marks Levine was appointed managing director.

Network officials refused to state whether these appointments indicated NBC's decision to remain in the concert field or in the field of artist management. CBS has disposed of both and NBC officials had previously indicated a similar intention. The FCC in its monopoly report criticized the continuance of concert and management business by the networks.

'Parallel' Opens Today

LONDON, Oct. 7.—The English film, "49th Parallel," will have its premiere tomorrow with a luncheon planned at Claridge's to be attended by Vincent Massey and 250 guests representing Canadian and Empire fields for diplomacy, radio, the press and the film industry.

Off the Antenna

DR. VLADIMIR K. ZWORYKIN, associate director of RCA laboratories, tonight will receive the Rumford Award from the American Academy of Arts and Sciences at its annual meeting in Boston. Zworykin, who invented the inconoscope and kinescope, which make electronic television possible, will receive the award in recognition of his development of the electronic microscope, an outgrowth of television experiments. The Rumford Award, established in 1796 by Count Rumford, is presented biennially for important American discoveries or useful improvements in the fields of light or heat.

• • •

Purely Personal: *Dennis McEvoy has replaced Erskine Caldwell as Moscow carrespondent for CBS. . . . William L. Shirer's "Berlin Diary" will run serially in 62 newspapers, United Feature Syndicate announced yesterday. Estelle Barnes has been appointed program manager of W59C, Chicago, the WGN FM station. . . . A. A. Schechter, NBC news head, yesterday addressed the Pittsburgh Advertising Club on war coverage. . . . Robert Smith, WOR salesman, yesterday joined the "Million Dollar Club," symbolic of salesmen who have sold that amount of time for the station. . . . William Slater Barkentin has been named WOR continuity editor, succeeding Robert Blake, who was drafted. . . . Bea Wain has been signed for "Monday Merry-Go-Round" over NBC-Blue. . . . Axel Gruenberg and Roy Lockwood have joined the NBC production staff. . . . New staff members at WCAE, Pittsburgh, include Robert Bitner, engineer and William Leyden and Joseph Mulvihill, announcers.*

• • •

The Yankee-Colonial Networks yesterday claimed a beat in the coverage of the discovery of Pamela Hollingsworth, five-year-old who was lost for eight days. . . . Mutual yesterday moved its Chicago offices to larger quarters in the "Chicago Tribune" building. . . . Mexican film stars will be featured on the second Pan-American program of the season, originating from XEQ, Mexico City, Oct. 16, and carried by CBS in this country.

• • •

Program News: WNYC will start a new series 6-6:30 tonight called "Tomorrow's Edition." It will present college students from the five boroughs who show promise of becoming professional entertainers. . . . WKRC, Cincinnati, will carry the play-by-play descriptions of the games of the Cincinnati Reds next season. . . . "Pepper Young's Family" will broadcast its 1,500th script Friday over NBC-Red.

Study Mutual Verdict on Muzak Baseball Pickup

Television lawyers yesterday were studying a court decision rendered Saturday by N. Y. Supreme Court Justice Ernest E. L. Hammer in which Mutual and the Gillette Safety Razor Co. were granted an injunction restraining Muzak Corp. from sending without permission Mutual's play-by-play description of the World Series over Muzak leased lines to restaurants, hotels, bars and similar places.

Justice Hammer granted a temporary injunction Saturday and it was made permanent yesterday when Muzak consented to the decree after obtaining the needed permission. Prior to Saturday, Muzak relayed the descriptions exactly as broadcast, including the commercial announcements and giving Mutual credit for the broadcast, but the network contended that the failure to obtain permission was unfair competition.

Cites Competition

In granting the injunction, Justice Hammer pointed out that both Mutual and Muzak were in competition for audiences and that their rates depended on the number of listeners obtained through their respective media. Television lawyers saw in the decision a similarity to a theatre picking up a telecast without permission. Although the rights of the restaurant, rather than Muzak, would be a closer analogy to the rights of a theatre in telecasts, lawyers pointed out, the decision apparently forbids any commercial use of broadcasts without the consent of the broadcaster and the sponsor.

A number of theatres have considered installation of large screen television receivers for programs taken off the air. Arthur Mayer, managing director of the Rialto, has installed a Scophony receiver in his house. Although the set is not yet in operation, Mayer has repeatedly stated that he has been advised that he had the right to take programs off the air without permission. Both NBC and CBS television stations here make frequent announcements forbidding use of the programs except for homes.

Emanuel Dannett represented Mutual in the suit.

Ritchey Closes Two Deals for Monogram

Norton V. Ritchey, vice-president of Monogram Pictures in charge of foreign distribution, at present on a tour of Latin America, reports from Caracas that he has entered into an agreement with Cárcel & Muro whereby this concern becomes Monogram distributor in that territory.

Richey also reports that on his way to Caracas he stopped in Curacao, where he appointed, Morón and Cía. to act as Monogram distributors in that Dutch possession. He plans to return to New York in December.

Murray Back in Canada

OTTAWA, Oct. 7.—Major W. E. Gladstone Murray, general manager of the Canadian Broadcasting Corp., has returned here after a seven-week trip to England and the United States.

Miller, Shubert At Camp Show Parley

Washington, Oct. 7.—The War Department today announced that in addition to the motion picture representatives who will attend conferences with Army and Navy officials this week on plans for camp entertainment, the broadcasting industry will be represented by Neville Miller, president of the National Association of Broadcasters, and Lee Shubert, producer, will represent the legitimate stage.

CBC Year Surplus Reaches $183,584

OTTAWA, Oct. 7.—The annual report of the Canadian Broadcasting Corp. for the fiscal year ending March 31, 1941, showed the corporation's operating surplus to be $183,584. Income was $4,092,794, and expenditures were $3,909,209.

Under the heading of "income" are such items as $3,140,259 in license fees, a gross of $895,066 in commercial broadcasts and $44,647 in subsidiary hookups. Expenditures included $1,721,755, for programs, $725,969 for station network; $746,154, engineering; $179,120, administration; $97,805, commercial; $60,669, press and information.

On the network CBC broadcast 36,419 individual programs, which took up 12,129 hours of broadcasting time. Three new transmitters were built.

Strike in Pittsburgh Hotels Hits Grosses

PITTSBURGH, Oct. 7.—In its sixth day, the strike of employes of the city's eight major hotels has begun to materially affect theatre and night club business.

Because of the strike of 1,661 hotel employes and 800 more AFL sympathizers who refuse to cross picket lines to jobs unaffected by the strike, the city is estimated to lose $40,000 daily this week, much of it destined for theatres and other amusement places, through cancellation of the Pennsylvania Medical Society convention that would have attracted more than 2500 delegates. Many other conferences and smaller meetings likewise have been cancelled or postponed.

Thousands of salesmen and tourists who otherwise would have lingered in the city and spent money in entertainment sites, have re-routed their itineraries, it is estimated.

CEA Meets Today On Opening Hours

LONDON, Oct. 7.—The general council of the Cinematograph Exhibitors Association will meet tomorrow to study the theatre operating hours situation, and to authorize the executive board to present its views at a meeting with the Ministry of Transport scheduled for later in the day.

It is understood action will be taken shortly by a majority of the producers and the labor interests, presenting a report opposing the plan of the Ministry of Labor for wholesale calls on technical employes for military service.

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VOL. 50. NO. 71 NEW YORK, U. S. A., THURSDAY, OCTOBER 9, 1941 TEN CENTS

Gov't Opens Trial Against Browne, Bioff

Correa Details Indictment In Extortion Case

The trial of George E. Browne, IATSE president, and William Bioff, his personal representative, on extortion charges, started yesterday before Federal Judge John C. Knox with the selection of a jury. Mathias F. Correa, U. S. Attorney, made his opening statement outlining the Government's case and it will be followed this morning by the opening statements of Martin Conboy, Browne's attor-

(Continued on page 4)

Browne-Bioff Trial Jury

The names and occupations of jury selected yesterday for the Browne-Bioff trial are:

Paul D. Thorne, foreman: cashier for Western Union.

Francis L. Corcoran, connected with Rockefeller Center.

John McKeown Stebbins, production man with the New Yorker Magazine.

James D. Banks, life insurance broker.

Murray J. Dunn, tester for the N. Y. Telephone Co.

Ezra Koster Wickman, executive of the Commonwealth Fund.

Paul Fisher, mortgage broker.

Arthur Otten, clerk of the Texas Co.

Frank James Hannon, margin clerk of Hayden, Stone Co.

Robert H. Celander, buyer for the Consolidated Edison Co.

Warner L. Overton, telephone engineer.

Otto Detmer Sutter, sales manager of A. E. Staley Manufacturing Co.

The two alternate jurors are: William McKnight Bowman, an architect, and Philip F. Barrington, advertising executive.

J. H. Whitney Is Due From Goodwill Trip; Praised by Reisman

HOLLYWOOD, Oct. 8.—John Hay Whitney, head of the film division of the U. S. Committee for Inter-American Relations, will return to this country from South America next Monday. He will arrive in Miami where he will be met by his assistant Frank Alstock, and the two will then proceed by train to New York.

Phil Reisman, vice-president of RKO, in charge of foreign sales, in a press interview yesterday praised the work being done by the Whitney group in improving inter-American relations. Reisman was in South America during much of the time that Whitney was there. Reisman had left this country a day or two prior to Whitney's departure and while in

(Continued on page 4)

Independent Radio Stations to Organize

CHICAGO, Oct. 8.—Independent regional broadcasters representative of 26 stations affiliated with the major networks agreed at a two-day meeting at the Drake Hotel here on the immediate need of an organization of independent broadcasters to protect their interests.

Cited as problems concerning which protection is needed are the demands of the super-power applicants, the de-

(Continued on page 8)

Arnold Remains in Post, Says Biddle

Washington, Oct. 8.—Thurman Arnold will continue as head of the anti-trust division, Attorney General Francis Biddle said today. He said that reports of a divergence of views between himself and Arnold had been overemphasized, that they did not involve major policies on anti-trust law enforcement and that, so far as he knew, Arnold did not plan to resign.

Ascap Seeks New Sources For Revenue

Ascap is surveying possible new fields of music performance rights for sources of new revenue to help offset the decreased radio network returns to the society under its new contract, and soon may attempt to tap the juke box, television and other fields, it was learned.

No increase of music license rates to theatres is under consideration, however, it was learned. Ascap officials regard theatre rates as equitable and as offering no promise of further exploitation.

Reorganization of the society's man-

(Continued on page 8)

Senate Probe Postponed; No New Date Set

Senator Clark Would Not Affirm Abandonment

WASHINGTON, Oct. 8.—Hearings into alleged film propaganda scheduled to be resumed next Monday were today called off by Sen. D. Worth Clark of Idaho, chairman of the Senate investigating subcommittee. The chairman would not say that the hearings were to be abandoned entirely.

In announcing postponement of the hearings, Clark said the subcommittee "will meet again in the near future, subject to the call of the chair and just as soon as he can get the members together."

In a radio address last Saturday night he declared his intention of going on with the investigation despite opposition and the lack of funds.

Clark attributed his decision to postpone the inquiry to the absence

(Continued on page 4)

Unity in Industry Is Urged by Richey

DETROIT, Oct. 8.—A strong plea for industry unity featured the address of H. M. Richey, director of exhibitor relations for M-G-M and assistant to William F. Rodgers, general sales manager, before the annual convention of Allied of Michigan at the Book-Cadillac Hotel here today.

"I believe that the industry is being driven closer and closer together by the emergency," said Richey. "Attacks from the outside, efforts at unreasonable taxation which would be confiscatory if adopted, the realization

(Continued on page 4)

Industry to Aid in Setting Up Show Circuit for Camps

WASHINGTON, Oct. 8.—Establishment of a regular circuit of shows for men in the Army, Navy and Marine Corps was agreed upon today at a conference of representatives of the motion picture and radio industries and the legitimate stage with high officials of the War and Navy departments.

Meeting with the determination to provide camp entertainment on a permanent basis, the group accomplished in one day what it had been expected would require two days to do, and broke up with the understanding that definite plans for the shows would be announced following further consultations with various groups which are to participate.

The Citizens Committee for the

(Continued on page 4)

NBC Artists Service Sale Negotiations Off

All current negotiations for the sale of NBC's artist management business and concert service have been terminated, Niles Trammell, NBC president, disclosed yesterday. Trammell made the disclosure following many inquiries which resulted from Tuesday's announcement of the appointment of new officers for Civic Concert Service, Inc., and for the concert division of the network.

In a letter to artists under NBC management notifying them that Marks Levine had been named managing director of the concert division, Trammell assured them that the "same policy" would be continued.

U.A. Partners Meet Is Scheduled Today

United Artists partners are scheduled to meet here today to discuss a new administrative setup for the company, including the designation of a president. David O. Selznick is expected today from Chicago, but if his arrival is delayed the meeting will be postponed until tomorrow, it was stated. Already here for the meeting are Alexander Korda and Mary Pickford. Charles Chaplin is expected tomorrow.

Coast Flashes

Hollywood, Oct. 8

AFTER 10 weeks, Arch Oboler, radio writer-producer, has asked for and received his release from 20th Century-Fox where he had a producer-director-writer contract. It was reported that disagreement with studio heads over material was the reason for his withdrawal.

•

Earl Rettig, assistant to Reginald Armour at RKO, today was appointed RKO studio treasurer.

•

M-G-M today announced the purchase of "The Gentleman from West Indies," story of Alexander Hamilton's life, by Dorothy Thompson and Fritz Kartner, and has set it as a Robert Taylor-Hedy Lamarr vehicle. Sam Zimbalist will produce.

•

Carmel Myers, D. W. Griffith star who last appeared in films in 1934, was signed today by Republic for "Lady for a Night."

•

RKO today signed a new contract with Howard Hawks to produce three pictures in addition to John Steinbeck's "Red Pony." One will be directed by Hawks and one will star Ronald Colman. William Hawks left tonight for Mexico to prepare material for "Guilded Pheasant," which will be among the three.

•

Monogram has announced the closing of a new season deal with the Publix-Nace-Richards circuit in Arizona.

Pioneers Preparing For Hallowe'en Fete

Jack Cohn, house manager of Picture Pioneers, social organization of industry veterans, yesterday named Jack Alicoate chairman of the "ghost and witch-hunting committee" for the Pioneers Hallowe'en dinner at Toots Shor's restaurant, Oct. 29. Leon Bamberger, G. B. Odlum and Gilbert Josephson are other members of the committee.

Roxy Asks Reduction In Tax Assessment

Roxy Theatre Co. yesterday filed a writ in the N. Y. Supreme Court against the N. Y. Tax Commission in which it seeks a reduction of its 1941-'42 assessment from $4,000,000 to $2,975,000. Justice Peter Schmuck ordered a hearing on the application for Nov. 3.

Personal Mention

W. A. SCULLY, Universal general sales manager, and W. J. HEINEMAN, assistant sales manager, returned yesterday from the Coast.

•

SHERMAN GERMAINE, operator of the Fairmount Theatre, New Haven, is recuperating from an operation at New Haven Hospital.

•

MILTON MARX, Warner home office ad department artist, will have a one-man show at the Marie Sterner Art Galleries Oct. 20-Nov. 1.

•

TED JACOCKS, operator of a theatre at Branford, Conn., is on vacation in Canada.

•

JACK FINDLAY, Mystic, Conn., and Westerly, R. I., exhibitor, is vacationing at Woodstock, Vt., recovering from an infected throat.

SPYROS SKOURAS expects to be in Washington today.

•

F. J. A. MCCARTHY, Southern and Canadian sales manager for Universal, left Dallas yesterday for Toronto, where he will be for the remainder of the week.

•

AL SANTELL, Paramount director, is here.

•

CLARA SHELDON BENHAM, daughter of ED BENHAM, Yuba City, Cal., theatre owner, recently was married to CHARLES EDWIN BINNINGER.

•

ANDRE DE LA VARRE has returned from Alaska after filming a travel subject for Columbia.

•

LEON J. BAMBERGER leaves for Montreal today.

New Anderson Play Called Propaganda

WASHINGTON, Oct. 8.—"Just another propaganda play" is "Candle in the Wind," the Helen Hayes starring vehicle which opened last night at the National, according to Bernie Harrison, *Times-Herald* critic. The Maxwell Anderson drama played to a capacity house.

Nelson B. Bell, of the *Post*, observed that "Mr. Anderson has written conviction into his play only in so far as that can be accomplished by enveloping a doubtful premise in a cloak of eloquent and lovely words." Both Bell and Harrison paid high tribute to the acting of Miss Hayes and the others in the cast.

Northwest Film Club Elects New Officers

SEATTLE, Oct. 8.—Officers for the ensuing year were elected at the annual dinner meeting of the Northwest Film Club here. Officers are: Edward Walton, president; A. J. Sullivan and Junior Mercy, vice-presidents; Keith Beckwith, Jack T. Sheffield and Foster Blake, trustees; Edward Lamb, secretary-treasurer, reelected. Joseph Cooper, manager now on leave because of illness, was retained in his post.

Littman on Tour

Mack Littman, special sales representative for Guaranteed Pictures, leaves today on a tour of cities extending to Dallas. He expects to be gone three to five weeks.

Republic RCA Deal Extended 10 years

A 10-year film recording license agreement negotiated in 1938 between Republic Productions and RCA Photophone has been revised to provide for additional facilities, and has been extended for an additional 10 years, running until 1951. Two additional mobile film recording units and a disc recording channel are included in the new equipment.

The deal was negotiated by M. J. Siegel, Republic Productions president; E. H. Goldstein, secretary, and C. J. Lootens, chief engineer, with Barton Kreuzer of RCA.

PRC Closes Deals With Five Circuits

Producers Releasing Corp. has announced deals on the 1941-'42 product lineup with five circuits. They include: Waters Theatres, Atlanta; Kincey Circuit, Charlotte; Ray Allison Circuit, Pittsburgh; Frisina Amusement Co., St. Louis, and Maine and New Hampshire Circuit, Boston.

Runyon Leaving For RKO Studio

Damon Runyon leaves for California today. Leonard Spiegelgass will accompany him. Runyon goes to the Coast to assume his new work as producer and writer for RKO. Mrs. Runyon will join him on the Coast in about two weeks.

WB Resume British Production Today

LONDON, Oct. 8.—Warners will resume English production tomorrow at the Warner studio at Teddington, with Richard Greene starring in "Flying Fortress."

Zala Supervising Art

Rugoff & Becker yesterday announced that Michael Zala, manager of its Eighth St. Playhouse, will also supervise the neighboring Art Theatre, operation of which the circuit recently took over. Both houses are on Eighth St. in Greenwich Village.

'49th Parallel' Is Viewed in London

London, Oct. 8.—The film, "49th Parallel," produced by Ortus Films and distributed in this country by General Film and in the United States by Columbia, was previewed here today under elaborate circumstances.

Made with the collaboration of the Ministry of Information and partly financed by Oscar Deutsch, it is a remarkable picture in a Canadian setting, the story concerning the attempted escape across Canada of the crew of a German U-boat. It is an eloquent and convincing portrayal of democracy's case against Nazism. Lawrence Olivier and Anton Walbrook are splendid in a picture packed with thrills. It is a directorial triumph for Michael Powell, and has been brilliantly photographed. It appears destined for box-office success on both sides of the Atlantic.

Flanagan

Gus Kahn, Veteran Song Writer, Dies

HOLLYWOOD, Oct. 8.—Gus Kahn, lyric writer, whose songs have been featured in many films during the past 10 years, died at his Beverly Hills home today. His first song was published in 1907. He was a member of Ascap since 1921 and once served on its board of directors.

Tony Di Lorenzo Dies

HARTFORD, Conn., Oct. 8.—Tony Di Lorenzo, operator with Michael Daly of the Daly Theatre here, is dead. He is survived by his widow, who is a sister of Michael Daly, and six children. Di Lorenzo was one of the state's pioneer exhibitors, starting with the operation of the Crown here 25 years ago.

Rochester Manager Dead

ROCHESTER, Oct. 8.—John J. O'Neill, well known theatre manager here, died yesterday. He served as manager at the old Avon, later going to the Eastman Theatre as house manager. In recent years he had been in charge at the Auditorium.

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COAST TO COAST

JACK SHAINDLIN
Musical Director

"BOMBER"
(Office for Emergency Mgt. Film Unit)

". . . reel boasts of an eloquent commentary written by Carl Sandburg . . . stirring musical score giving a dramatic depth to the scenes. . . ."—*Film Daily.*

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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"'THE MALTESE FALCON' IS ONE OF THE BEST PICTURES EVER MADE!"
—Morning Telegraph
"'THE MALTESE FALCON' IS THE BEST MURDER MYSTERY OF THE YEAR!"
—World-Telegram
"'THE MALTESE FALCON' IS THE BEST MYSTERY THRILLER OF THE YEAR!"
—New York Times
"THE MALTESE FALCON" IS THE BEST GROSSER IN MYSTERY-FILM HISTORY!"
—Warner Bros.
HUMPHREY BOGART
MARY ASTOR
in
"THE MALTESE FALCON"
By Dashiell Hammett
with
GLADYS GEORGE • PETER LORRE
Barton MacLane • Lee Patrick • Sydney Greenstreet
Directed by JOHN HUSTON
Screen Play by John Huston
A Warner Bros.-First National Picture
NEW SEASON! NEW BOXOFFICE HIGHS!

Gov't Opens Trial Against Browne, Bioff

(Continued from page 1)

ney, and Henry Uterhart, Bioff's counsel. Following today's session, an adjournment will be taken to Tuesday.

Correa spoke for 45 minutes. He charged that Browne and Bioff exacted $50,000 annually from each of four companies, Loew's, Paramount, Warners and 20th Century-Fox, from 1936 until the indictment was returned earlier this year.

The prosecutor alleged that $2,000,000 originally had been demanded as the price of peace in the industry. He made it clear that he did not consider the companies as willing victims but that they "had little choice but to yield, since they couldn't replace the union men without facing tremendous losses."

Strikes Alleged

After tracing the setup of the industry and the IATSE, Correa alleged that in 1935 the defendants called projectionist strikes to compel the companies to restore the union as a party to the basic labor pact in the studios. Correa pointed out that the industry depends upon a continuous flow of box-office receipts and that any falling off of receipts through strikes would be "disastrous."

Correa asserted that representatives of the companies, at the 1936 meeting with labor leaders, were given the alternative of paying $2,000,000 to the defendants or having their business wrecked. Correa said the defendants had made it clear that they wished the money to be paid to themselves personally and not as union executives.

Cash payments totaling $400,000 were made by the companies in varying sums of $10,000 to $50,000, according to Correa. The balance was paid through a different arrangement, he continued. Executives of Loew's, concerned about paying in currency, devised a plan with the defendants whereby a nominee of Bioff's was made an employe of Smith & Allen, the agency selling DuPont raw stock, Correa charged.

He declared that there was an understanding that the designee would collect a sufficient commission on purchases by Loew's of DuPont raw stock to equal the payment expected from Loew's. Bioff originally named his brother-in-law but designated a former intimate associate in 1939, Correa claimed.

In selecting a jury Uterhart and Conboy were mainly concerned with the two questions of whether the jurors were prejudiced against union leaders and, secondly, whether any jurors had been influenced by articles written by the columnist Westbrook Pegler. Three jurors were excused because they admitted that Pegler's articles had prejudiced them and several others because of an expressed distaste for union leaders.

Judge Knox on several occasions refused to excuse jurors upon admission that they had read the articles.

The defense used 10 peremptory challenges and the Government four. All women were eliminated from the jury by challenges of one side or the other. Several jurors were excused when they stated that they were employed by the Chase National Bank, which is financially connected with 20th Century-Fox.

Judge Knox read a list of 23 names and asked the jurors whether any of them knew these men personally. Correa stated upon being questioned by reporters that he did not submit this list, but that the probabilities were that they had been handed up to the court by the defense attorneys. He added that the list was very interesting and possibly indicated persons that the defendants intended to call as witnesses.

Leaders Listed

The names were: Nicholas Schenck, Barney Balaban, Jack Cohn, Sidney R. Kent, Albert Warner, Harry M. Warner, George Schaefer, Y. Frank Freeman, Edward J. Mannix, Harry Cohn, Joseph Schenck, John Balaban, Austin Keough, Charles Moskowitz, Arthur W. Stebbins, Louis B. Mayer, Al Lichtman, Smith & Allen, distributors of DuPont film on the West Coast, James Coster, Chicago theatre man, John Otterson, former president of Paramount, Pegler, and Duncan Underhill, Hollywood correspondent for the New York *World-Telegram* and Scripps-Howard.

'Viva O'Brien'

"Viva O'Brien," which is described as a "big aquamusical" with "14 scenes and one swimming pool," opens tonight at the Majestic. In the cast are Russ Brown, Marie Nash, Victoria Cordova, Milton Watson and others. It is a production of the Hickey, Hale & Robinson Company. Music is by Maria Grever and lyrics by Raymond Laveen.

Industry to Aid in Setting Up Show Circuit for Camps

(Continued from page 1)

Army and Navy was designated to handle entertainment in the camps, posts and naval stations, and the motion picture groups which are participating will work in close cooperation with that organization, it was said.

The services of the film organizations were placed at the disposal of the Government by Y. Frank Freeman, chairman, and Jock Lawrence, secretary, of the Hollywood division of the Motion Picture Committee Coperating for National Defense, and Lawrence Beilenson of the Screen Actors Guild, who flew East for the meeting.

Also attending were Alfred Harding of Actors Equity; George Heller of the American Federation of Radio Artists, Lawrence Phillips, executive director, and Eddie Dowling, chairman, of the entertainment committee of the Citizens Committee; Lee Shubert, New York producer, and Neville Miller, president of the National Association of Broadcasters.

Unity in Industry Is Urged by Richey

(Continued from page 1)

that the industry has lost millions of customers by the competition of outside elements, the working of the consent decree even though it may not contain all the elements of solution it should, all of these things brought us to a realization that the other fellow's problem is sometimes our problem and certainly your problem is many times his problem."

Regarding the current movement for unity among the industry, Richey declared:

"Frankly, I don't believe such a conference or permanent working organization will overnight solve every problem of the industry. But I know this—that the closer the various elements in this business get together, the more they understand each other's problems, the nearer will they come to solution.

"I am thoroughly convinced that if a movement for unity is contaminating, if sitting down with the other fellow to discuss and solve common problems is infectious, that we are in for the type of epidemic that will quarantine us from the outside world when we come to problems arising from within the industry."

Comments on Inquiry

With reference to the Senate propaganda probe, Richey said: "I am firmly convinced that the smear hearing in Washington has accomplished one thing and that is it has brought a new realization to the American people as to the important contribution motion pictures make in the time of national emergency."

All officers were reelected at today's closing session of the convention. The officers are: Ray Branch, president; W. James Olson, vice-president; Edgar E. Kirchner, secretary-treasurer; Pearl M. Sprott, business manager. The entire slate of 12 directors also was reelected. The convention closed this evening with a banquet and entertainment.

Among those in attendance were Abe Montague, general sales manager of Columbia; Arthur Kelly, vice-president of United Artists; Arthur Greenblatt, Producers Releasing Corp. sales manager; and Abram F. Myers, general counsel and board chairman of Allied States.

Threaten Closing If English Set Curfew

LONDON, Oct. 8.—The general council of the Cinematograph Exhibitors Association, headed by Sidney Lewis, CEA president, at a meeting today threatened to close British film houses if the Government imposes a curfew on theatre operation.

Following letters of appeal to the Prime Minister and other officials, CEA officers today also conferred with Ministry of Transport heads. They expressed the hope later that they had convinced the Ministry that there is no need to close film houses early in the evening.

J. H. Whitney Is Du From Goodwill Trip Praised by Reisma

(Continued from page 1)

South America had occasion to me and discuss matters with him.

Reisman also praised Walt Disn and stated that his trip, like Wh ney's, has helped relations.

"I cannot say too much for th complishments of Whitney and ney," Reisman said.

Reisman reported that plans we well advanced for an exchange U. S.-made films and South Amer can films. Among film materi planned is some designed for infr quent filmgoers among the Sou Americans in order to familiari them with North American view points. Other films will portra "stronger messages" for exhibition i South American embassies.

"These are methods," Reisman ol served, which have been employed e fectively by Nazi agencies for som time in South America. Now, we ar prepared to fight them with clubs in stead of cream puffs."

Pro-Nazis Face Blacklist

He pointed out that theatres i Latin America which habitually ex hibit German propaganda films plac themselves in danger of being put o President Roosevelt's trade blacklist and once on that list no American dis tributor would service the theatr with films.

Reisman said that South America governments are "very cooperative." Film producers in Argentine and Bra zil are anxious to receive technica and other aid from Hollywood an efforts to obtain it for them will b made.

Molino Campos, Argentine carica turist, was signed by Disney and hi gaucho characters will be used in fu ture Disney films, as will Brazilia parrots and South American exte riors, Reisman stated.

Dismiss Clearance Case in California

The clearance complaint of Harvey Amusement Co., owner of the West wood at Westwood, Calif., has been dismissed at the San Francisco arbi tration board following hearings, American Arbitration Association headquarters here reported yesterday.

Meanwhile, Fred Rowlands, owner of the Main, Columbus, O., has filed an appeal with the national appeals board from the dismissal of his clearance complaint against the five consenting companies and the Eastern, Columbus, by Fred W. Koch, arbitrator, at the Cincinnati board on Sept. 16. The case is the 13th to go to the appeals board.

Senate Inquiry Is Off Indefinitely

(Continued from page 1)

from Washington of several members of the subcommittee and the uncertainty as to when they would return. Other members of the group refused to comment on the move. Sen. Ernest W. McFarland of Arizona, who has consistently "sniped" the inquiry, said he did not want to stir up anything.

Review

Jungle Man"

roducers Releasing)

HIS is a stereotyped jungle story presented with a number of library shots of wild life. A fairly commendable job of piecing together the ic yarn and the file material is apparent.

rincipal of the cast is Buster Crabbe, seen as a doctor who spends his e in the jungle working on a serum for the benefit of the natives. s leading lady is Sheila Darcy, one of a group seeking the "City of the Y Charles Middleton and Vince Barnett also are in support. T. chmond produced, Harry Fraser directed, and George R. Batchel- was in charge of production.

Running time, 63 minutes. "G."* EUGENE ARNEEL

"G" denotes general classification.

arachute' Newark Winner With $15,100

EWARK, Oct. 8.—In a week marked little activity over normal, "Para- te Battalion" and "Father Takes a e" scored $15,100 at RKO Proc- s.

stimated receipts for the week end- Sept. 30-Oct. 2:

vy Blues" (W. B.)
e Officer and the Lady" (W. B.)
ARNER'S BRANFORD—(2,840) (28c- 44c-55c-66c-75c) 7 days. Gross: $13,700. erage, $14,000)
hen Ladies Meet" (M-G-M)
ild Man of Borneo" (M-G-M)
OEW'S STATE——(2,589) (28c-33c-44c- 65c-75c) 7 days. Gross: $13,800. (Aver- $13,500)
-Capades" (Rep.)
wery Blitzkreig" (Mono.)
ARAMOUNT-NEWARK — (2,200) (28c- 44c-55c-65c-75c). 6 days, 2nd week. ss: $11,200. (Average, $13,750)
rachute Battalion" (RKO)
ther Takes a Wife" (RKO)
KO PROCTOR'S—(3,389) (28c-33c-44c- 65c-75c) 7 days. Gross: $15,100. (Aver- , $14,500)
o Greater Sin" (University)
ITTLE—(299) (33c-44c-55c) 7 days. 2nd k. Gross: $1,300. (Average, $1,800)

Honky Tonk' Big $21,000, Cleveland

CLEVELAND, Oct. 8.—"Honky Tonk" g up a smash $21,000 at Loew's te. "Citizen Kane," aided by a stage w at the RKO Palace, took ,500.

stimated receipts for the week end- Oct. 2-3:

n Valley Serenade" (20th-Fox)
LLEN—(3,000) (33c-39c-47c) 7 days. 2nd k. Gross: $5,000. (Average, $4,000)
ere Comes Mr. Jordan" (Col.)
ARNERS' HIPPODROME — (3,800) -39c-47c) 7 days. Gross: $8,000. (Aver- , $11,000)
itizen Kane" (RKO)
KO PALACE—(3,100) (33c-47c-55c) 7 s. Tony Pastor's Orchestra on stage. ss: $17,500. (Average, $13,500)
onky Tonk" (M-G-M)
OEW'S STATE—(3,500) (33c-39c-47c) 7 s. Gross: $21,000. (Average, $11,000)
hen Ladies Meet" (M-G-M)
OEW'S STILLMAN—(1,900) (33c-39c-) 7 days, 2nd week. Gross: $4,500 erage, $4,000)

000 Soldiers Were reedom Show Guests

More than 2,000 soldiers attended : Fight for Freedom show held nday night at Madison Square rden, it has been revealed. About 00 of the men were from Fort nmouth and 500 from Mitchell eld and Fort Dix. The men were the ests of the committee in charge and eir presence at the show was ar- nged by Mrs. Leo Spitz, chairman the ticket committee.

'Dawn' Takes Good $9,800, Providence

PROVIDENCE, Oct. 8.—"Hold Back the Dawn" and "Doctor's Don't Tell" drew $9,800 at the Strand, and a like amount was taken in by the Majestic with "Navy Blues" and "Bad Men of Missouri."

Estimated receipts for the week ending Oct. 1-2:

"Citizen Kane" (RKO)
"San Antonio Rose" (Univ.)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $7,000. (Average, $6,000)
"You'll Never Get Rich" (Col.) 3 days)
"Harmon of Michigan" (Col.) (3 days)
"Honky Tonk" (M-G-M) (4 days)
"Niagara Falls" (U. A.) (4 days)
LOEW'S STATE — (3,232) (28c-39c-50c) Gross: $13,000. (Average, $11,000)
"Navy Blues" (W. B.)
"Bad Men of Missouri" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $9,800. (Average, $7,000)
"Hold Back the Dawn" (Para.)
"Doctors Don't Tell" (Rep.)
STRAND — (2,200) (28c-39c-50c) 7 days. Gross: $9,800. (Average, $6,000)
"Petticoat Politics" (Rep.)
METROPOLITAN—(3,045) (30c-39c-55c) 3 days. Stage show with Lou Breese and Orchestra; Henry Armetta; Roy Smeck; The Colstons, and The Three Arnolds. Gross: $5,900. (Average, $5,000)
"Highway West" (W. B.)
"Cyclone on Horseback" (RKO)
FAY'S — (1,800) (15c-25c-35c) 7 days. Gross: $2,000. (Average, $2,800)
"Dive Bomber" (W. B.)
"Accent on Love" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 7 days, 3nd week. Gross: $2,700. (Average, $3,500)
"The Parson of Panamint" (Para.) (3 days)
"Three Sons o' Guns" (W. B.) (3 days)
"Life Begins for Andy Hardy" (M-G-M) (4 days)
"Wild Geese Calling" (20th-Fox) 4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

'Yank' Is Toronto Hit, Taking $16,500

TORONTO, Oct. 8.—"A Yank in the R.A.F." at Shea's drew $16,500. "New Wine" grossed $11,500 at the Uptown.

Estimated receipts for the week ending Oct. 4:

"Wild Geese Calling" (20th-Fox)
EGLINTON — (18c-30c-48c-60c) 6 days. Gross: $5,000. (Average, $4,500).
"Navy Blues" (W. B.)
IMPERIAL — (3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $9,800. (Average, $9,000)
"When Ladies Meet" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
LOEW'S — (2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $9,500. (Average, $9,000)
"A Yank in the R. A. F." (20th-Fox)
SHEA'S — (2,480) (18c-30c-42c-60c-90c) 6 days. Gross: $16,500. (Average, $9,000)
"Kiss the Boys Goodbye" (Para.)
"Bad Men of Missouri" (W. B.)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. Gross: $3,500. (Average, $9,000)
"New Wine" (U. A.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $11,500. (Average, $9,000)

SAILORS ON LEAVE

A REPUBLIC PICTURE



CHUCK: Look, I'm the fellow who sent you those scallions.

LINDA: I could tell by your breath.



AUNT NAVY: I'll never forget when my old man proposed. He come weoring a fire helmet and a bathing suit—when I asked him what was the big ideo he said it wos just to prove he'd go through fire and water for me.



GEORGIA: You'd enjoy being married, Chuck.

TAYLOR: It's wonderful, kid—I've been married seven times.

William LUNDIGAN • Shirley ROSS

CHICK CHANDLER • RUTH DONNELLY • MAE CLARKE

CLIFF NAZARRO • TOM KENNEDY • MARY AINSLEE

BILL SHIRLEY • JANE KEAN • DIRECTED BY ALBERT S. ROGELL

Screen play by ART ARTHUR and MALCOLM STUART BOYLAN • Original story by HERBERT DALMAS

Buy U. S. Defense Bonds

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
Sept. 12	Harmon of Michigan (D) *Tommy Harmon* (1941-42)	(1941-42 Releases) Lady Be Good (M) 202 *Ann Sothern Robert Young*	Let's Go Collegiate (D) *Frankie Darro* (1941-42)		Outlaws of Cherokee Trail (O) 161 3 Mesquiteers (1941-42)	Parachute Battalion (D) 202 (1941-42)	Belle Starr (D) 207 *Gene Tierney R. Scott* (1941-42)	Major Barbara (D) Tanks A Million (C) (Streamliner) (1941-42)	Unfinished Business (C) *Irene Dunne* (1941-42)	Navy Blues (M) 103 *Anne Sheridan* (1941-42)	Dangerous Lady 115 (PRC) *N. Hamilton* (1940-41)
Sept. 19	Prairie Stranger (O) 2005 (1940-41) Ladies in Retirement (D) (1941-42)	Dr. Jekyll and Mr. Hyde (D) 201 *Spencer Tracy Lana Turner*	The Driftin' Kid (O) *Tom Keene* (1940-41)		The Apache Kid (O) 171 *Don Barry* (1941-42)		We Go Fast (D) 208 *Lynn Bari* (1941-42)	International Lady (D) *George Brent Ilona Massey* (1941-42)	Sing Another Chorus (M) Kid from Kansas (D) A Girl Must Live (D) (All 1941-42)	Nine Lives Are Not Enough (D) 104 (1941-42)	
Sept. 26	You'll Never Get Rich (M) *Fred Astaire* (1940-41)	Down in San Diego (D) 203 *B. Granville*	Gunman From Bodie (O) *Buck Jones* (1941-42)	Hold Back the Dawn (D) 4103 *Charles Boyer* (1941-42)	Death Valley Outlaws (O) 172 *Don Barry* (1941-42)	Lady Scarface (D) 203 *Judith Anderson* (1941-42)	Last of the Duanes (O) 209 Man at Large (D) 210 (1941-42)	Lydia (D) *Merle Oberon Alan Marshal* (1941-42)	It Started With Eve (M) *Deanna Durbin* (1941-42)	Sergeant York (D) 101 *Gary Cooper* (1941-42)	
Oct. 3	Two Latins from Manhattan (M) *Jinx Falkenberg* (1941-42)	Honky Tonk (D) 204 *Clark Gable Lana Turner*		Buy Me That Town (D) 4102 *Lloyd Nolan* (1941-42)	Sailors on Leave (C) 109 *Wm. Lundigan Shirley Ross* (1941-42)	Father Takes a Wife (C) 204 *Menjou-Swanson* (1941-42)	A Yank in the R.A.F. (D) 211 *Power-Grable* (1941-42)		Mob Town (D) *Dead End Kids Tough Guys* (1941-42)	Law of the Tropics (D) 105 *C. Bennett* (1941-42)	
Oct. 10	Texas (O) *Wm. Holden Claire Trevor* (1941-42)	Married Bachelor (C) 205 *Robert Young Ruth Hussey*	Adolescence (D) Tonto Basin Outlaws (O) (1941-42)		Mercy Island (D) 110 *Ray Middleton Gloria Dixon* (1941-42)	Bandit Trail (O) 281 *Tim Holt* (1941-42)	Great Guns (C) 212 Riders of the Purple Sage (1941-42)	New Wine (M) *Ilona Massey Alan Curtis* (1941-42)	Never Give a Sucker An Even Break (C) *W. C. Fields* (1941-42)	International Squadron (D) 106 *Ronald Reagan* (1941-42)	Jungle Man 126 (PRC) *Buster Crabbe* (1941-42)
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Smilin' Through (M) 206 *J. MacDonald Gene Raymond*	Top Sergeant Mulligan (D) *Nat Pendleton* (1941-42)	Nothing But the Truth (C) 4101 *Bob Hope* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)	Niagara Falls (C) (Streamliner) *Tom Brown* (1941-42)	Burma Convoy (D) South of Tahiti (D) (1941-42)	The Maltese Falcon (D) 107 *H. Bogart Mary Astor* (1941-42)	Hard Guy 205 (PRC) *Jack LaRue* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell Binnie Barnes* (1941-42)	Feminine Touch (C) 207 *R. Russell Don Ameche*	Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Gauchos of Eldorado (O) 162 3 Mesquiteers (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)			Flying Cadets (D) *William Gargan Edmund Lowe* (1941-42)		Billy the Kid Wanted 257 (PRC) *Buster Crabbe* (1940-41)
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)		Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)		Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March Martha Scott* (1941-42)	Mr. Celebrity 114 (PRC) *Joseph Seary* (1941-42)
Nov. 7	The Stork Pays Off (C) *M. Rosenbloom Rochelle Hudson* (1941-42)		Zis Boom Bah (C) *Grace Hayes* (1941-42)	Skylark (C) *C. Colbert Ray Milland* (1941-42)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)			Hellzapoppin' (C) *Olsen-Johnson* (1941-42)		Lone Rider Fights Back 168 (PRC) *George Houston* (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)		I Killed That Man (D) *Ricardo Cortez* (1941-42)		Sierra Sue (O) 143 *Gene Autry Smiley Burnette* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)		Corsican Brothers (D) Miss Polly (C) (Streamliner) (1941-42)	Paris Calling (D) *Scott-Bergner* (1941-42)		Miracle Kid 213 (PRC) *Vicki Lester Tom Neal*
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)		Double Trouble (C) *Harry Langdon* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)			Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)		
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)				Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)		Twin Beds (C) Fiesta (M) (Streamliner) (1941-42)	Ride 'Em Cowboy (C) *Abbott-Costello* (1941-42)		The Strangler 214 (PRC *Judy Campbell*

WHAT A SHOW! WHAT A NIGHT!

The Time of Your Life at the Biggest Industry
Banquet and Ball of the 1941 Season!

ALL FOR SIX BUCKS A HEAD!

CINEMA LODGE

No. 1366 B'nai B'rith

2nd ANNUAL
BANQUET AND BALL

HOTEL ASTOR

SAT. NITE

OCT. 18, 1941

VINCENT LOPEZ AND HIS ORCHESTRA
XAVIER CUGAT AND HIS ORCHESTRA
PHIL SPITALNY AND HIS ALL-GIRL SHOW AND MUSIC
RALPH ROTGERS AND HIS RHUMBA BAND

Dance **TO THESE GREAT BANDS!**

STARS OF STAGE! SCREEN! RADIO!

SEND YOUR CHECK IN RIGHT AWAY TO DAVE WEINSTOCK
Chairman, Ticket and Arrangements Committee · 1560 B'way, N. Y. C.

Short Subject Reviews

"Northern Neighbors"
(Popular Variety)
(Universal)

Interesting views of Canada, in color, include Niagara Falls, the highlights of Toronto, a training base for the Canadian air force, and finally a visit to the Dionne Quintuplets and their famous physician, Dr. Roy Dafoe. Running time, 9 mins. Release, Oct. 13, 1941.

"In the Groove"
(Name Band Musical)
(Universal)

In the setting of a small town railroad station, Freddie Slack and his band perform, aided by several others, including a vocalist, a roller skating trio, and several dancers. With emphasis on the current type of swing music, this probably will find an audience among the younger generation, and not likely beyond that. Running time, 17 mins. Release, Oct. 8, 1941.

"Boogie Woogie Bugle Boy of Co. B"
(Walter Lantz Cartoon)
(Universal)

A cartoon has been made of the popular song number from "Buck Privates." A Harlem trumpet player extraordinary is drafted, and becomes the target of old shoes and razors from the other soldiers, but he ends their objections by giving them bugle calls in swing. Running time, 8 mins. Release, Sept. 1, 1941.

"Shampoo Springs"
(Stranger Than Fiction, No. 96)
(Universal)

A native of a California town has piped down from the mountains spring water so alive with chemicals that it lathers when rubbed on the hair. Renting towels, he does an excellent business. Other oddities in this number of an entertaining series include the baker who makes weird animals from dough and does well, and the professor whose hobby is collecting and cataloging strange odors. Running time, 9 mins. Release, Sept. 8, 1941.

"The Hermit of Oklahoma"
(Stranger Than Fiction, No. 97)
(Universal)

A Cheyenne, Okla., man who became a hermit in 1914, and has been alone with his odd concrete sculptures ever since is the featured oddity in this interesting short subject. Others are an aged costume maker with young ideas, a child with a pet lamb, and a New York radio engineer who lives on a Chinese junk. Running time, 8 mins. Release, Oct. 6, 1941.

"George Washington, Country Gentleman"
(Variety Views)
(Universal)

An interesting pictorial study of Mount Vernon, home of George Washington in Virginia, as it has been restored. It makes for an interesting subject. Running time, 10 mins. Release, Nov. 10, 1941.

Off the Antenna

THE boxing shows carried by Mutual since June 1 have been carried by an average of over 200 stations, the network reported yesterday. These include Mutual stations in this country, a number of the CBC stations in Canada and two in Hawaii. Eight fights have been broadcast thus far. The most recent, the Louis-Nova bout, was carried by 205 stations.

• • •

W2XQR, *the FM affiliate of WQXR, will move to its new frequency at 45.9 megacycles Monday. The station will continue its present broadcasting schedule, transmitting WQXR programs from 5 to 10 P.M. daily. When the FM station goes commercial it will have W59NY as its call letters.*

• • •

WABC on Oct. 18 will dedicate its new transmitter located in Long Island Sound. The network has been taking groups of advertising agency executives and sponsors on tours of Columbia Island where the new transmitter is located.

• • •

WOR and the Office of Emergency Management will cooperate in producing a new defense program to be carried Sundays, 10:30-11 P.M. over Mutual, starting Nov. 9. Clifton Fadiman will be master of ceremonies and Morton Gould musical director. The scripts will be by Lillian Hellman, Stephen Vincent Benet, Robert E. Sherwood, William Saroyan, Samuel and Bella Spewack and Moss Hart, and Rodgers & Hart will write a theme song. Guest stars for the first few weeks will be drawn from Fredric March, Florence Eldridge, Brian Aherne, Paul Lukas, Burgess Meredith, Lawrence Tibbett, Lily Pons, Ethel Merman, Gladys Swarthout and Dinah Shore.

• • •

Bill Stern, *NBC sports head, yesterday announced that the network had acquired exclusive rights for five years to broadcasts of the Rose Bowl football games and to an exclusive for this year only on the Sugar Bowl game. All will be available for sponsorship.*

Independent Radio Stations to Organize

(*Continued from page* 1)

mands of the musicians union and action on the Ascap situation. The group here expressed the belief the proposed Ascap licenses should be modified before acceptance, notwithstanding approval by the National Association of Broadcasters and the Independent Radio Network Affiliates.

An invitation has been extended for the independent broadcasters to meet next Tuesday at the Drake Hotel here to take up the problems immediately confronting them, and to form an organization. The committee in charge includes: William J. Scripps, WWJ, Detroit; Hoyt Wooten, WREC, Memphis; Eugene Pulliam, WIRE, Indianapolis; Stanley Hubbard, KSTP, St. Paul, and William O'Neil, WJW, Akron.

Postpone W. B. Meeting

CHICAGO, Oct. 8.—A regional meeting here of Warner Theatre managers, scheduled for today, has been postponed to next Tuesday.

W. B. Raises Prices In Conn. Theatres

NEW HAVEN, Oct. 8.—Warners have increased admissions in several spots, although retaining the same scale for the most part, with addition of the new taxes. The two-a-week Rialto, South Norwalk, and Capitol, Danbury, bargain nights have gone up from 20 cents to 22 cents plus three cents tax. The Strand, Waterbury; Palace, Torrington and Circle, Manchester, raised from 15 cents and 25 plus three cents tax, to 18 plus two cents, and 27 plus three cents. The Capitol, Ansonia, Broadway, Norwich and Palace, Norwich, went up from 39 cents to 40 cents, including tax.

Subsequent runs in many towns have added a few cents more than the tax to make even number amounts, generally raising 15 to 20 cents or 20 to 25 cents.

'Outlaw' Release Dec. 15

It is reported that "The Outlaw," produced by Howard Hughes for 20th Century-Fox release, and which was given a Production Code Seal recently, will be nationally released about Dec. 15.

29 States to Celebrate Thanksgiving Nov. 20, and 19 the Following Week

This year 29 states will celebrate Thanksgiving Day on Nov. 20 and 19 on Nov. 27, according to the Association of National Advertisers. The holiday probably will return to the traditional last Thursday of the month next year, since the House has passed and sent to the Senate a resolution to that effect, and President Roosevelt has voiced support of the measure.

States celebrating Thanksgiving this year on Nov. 20 are: Alabama, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Louisiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Rhode Island, Utah, Virginia, Washington, West Virginia, Wisconsin and Wyoming.

Nov. 27 will be Thanksgiving Day in the following: Arizona, Arkansas, Delaware, Florida, Georgia, Iowa, Kansas, Montana, Nebraska, New Hampshire, Nevada, North Dakota, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas and Vermont.

Ascap Seeks New Sources For Revenu

(*Continued from page* 1)

agement to better equip it for rea ing on new enterprises also has b discussed within Ascap, it is

The society's position in t vision field, should that mediu come a commercial factor in the n future, is problematic, officials ad Indications are that television rig to music will be the property authors, composers and, or publishe and whether or not Ascap will h any standing in that field may h to be decided by test cases in courts.

Some Ascap officials estimate t the juke box field could return $3,00 000 annually to Ascap on the basis a license fee of $10 per machine year. The new Federal tax wh went into effect Oct. 1 placed a l of that amount on the machines.

Radio Revenue Frozen

Ascap's need for new sources revenue stems from the fact that return from the major radio netwo under its new contract is frozen an estimated $3,000,000 annually the next 18 years. This compa with a $4,000,000 radio revenue year for the society on a basis wh permitted re-negotiation of contra at much shorter intervals than is p vided for in the new contract.

The society will lose an estimat $4,000,000 in revenue this year as result of its dispute with the networ Additionally, because of that fight, is saddled with a Federal consent cree and is confronted with continu competition from the rival Broadc Music, Inc., the networks' mu licensing organization.

Move Managers of Hamrick-Evergree

SEATTLE, Oct. 8.—Al Rosenbe head of Washington state theatres the Hamrick-Evergreen circuit, h appointed Robert Monaghan c manager of the Bellingham theatr succeeding the late James Car Monoghan thus moves from t American Theatre to the Mt. Bak Theatre in that city. His position the American will be filled by Jo Bretz, at present manager of the Ne tune Theatre in Seattle's Univers district. Bretz's successor here has n yet been selected, and Carl Mah manager of the University Egyptia is also temporarily directing the Ne tune operation.

Seeks New Station In West Virgini

WASHINGTON, Oct. 8.—The All gheny Broadcasting Corp. has appli to the FCC for a construction per for a new 1,240-kilocycle, 250-wa station at Elkins, W. Va.

Gilliam in Chicago

CHICAGO, Oct. 8.—Tom R. Gillia for many years branch manager of t Warner exchange here, and recent manager of Warners' Atlanta, G office, has joined the sales staff Paramount here, handling city sal

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 72 NEW YORK, U. S. A., FRIDAY, OCTOBER 10, 1941 TEN CENTS

Para. Debts to Be Exchanged For One Loan

$70,000,000 in Debentures Will Be Issued

Paramount is further simplifying its financial structure by exchanging its short term domestic loans for a single 4 per cent 15-year consolidated debt amounting in the aggregate sum of $20,000,000, which will constitute the entire outstanding domestic indebtedness of the parent company.



Barney Balaban

The present issues will be combined, it is announced by President Barney Balaban, into a single new debenture issue replacing

(Continued on page 6)

Studio Unions Get Counter Proposals

Counter proposals were submitted by producers' labor representatives yesterday to the demands of the nine IATSE studio locals at the office of Walt Casey, chairman of the labor committee.

The proposals covered all of the demands made by the locals individually. They are reported to have included a uniform 10 per cent wage increase, as was given the signatories of the studio basic agreement at Newark last month. Jurisdictional claims of several of the locals were ignored by the producers, according to report, on the ground that they are matters

(Continued on page 6)

Col. Opens Regional Meeting Here Today

Approximately 85 Columbia home office and Eastern and Canadian sales representatives will attend the company's second regional sales meeting which will open at the Hotel Warwick here today, continuing through Sunday.

Abe Montague, general sales manager, will preside. The home office group will include: Jack Cohn, vice-

(Continued on page 7)

Broadway Grosses Hold to Good Pace; 'Honky Tonk' Is Big

Grosses held to a good pace along Broadway this week, although the big business experienced over the week-end and early in the week, despite the hot spell and World Series competition, dropped off in the last two days.

"Honky Tonk" had a big opening week at the Capitol, drawing an estimated $36,500, and began a second week yesterday. "A Yank in the R. A. F." is continuing strong at the Roxy with a stage show, grossing an estimated $57,000 for its second week, which ended last night, and holds over.

"It Started With Eve" with the stage presentation at Radio City Music Hall also fared well during its first week with business amounting to an estimated $88,000. Its second week started yesterday. The first week of "The Maltese Falcon" with Jan Savitt's orchestra at the Strand was good for an estimated $38,000 and begins a second and final week today.

Universal's "Appointment for Love,"

(Continued on page 6)

Warners Preview English War Film

Warners yesterday held a home office preview of "Target for Tonight," produced by a British Government Crown film unit. The film details in three reels the planning and execution of a British bombing raid on a German oil depot objective.

The picture was reviewed in MOTION PICTURE DAILY on July 24, in a cabled dispatch by Aubrey Flanagan, in which the film was described as

(Continued on page 6)

See Hope for Peace In Mexican Strike

Chances of a settlement of the film workers strike in Mexico City were reported to be favorable again following negotiations resumed there yesterday, home office foreign departments were advised. Extension of the strike to 20th Century-Fox, Universal and United Artists, the companies not already struck, would be of only nominal significance, it was said, since all eight major companies have ended film service to Mexican theatres.

Gov't Order Halts Building Of Theatres

WASHINGTON, Oct. 9.—New theatre construction was brought to an abrupt halt today by orders of the Supply Priorities and Allocations Board, which held that no new construction projects using scarce materials may be started during the emergency unless they are necessary for direct national defense or essential to the health and safety of the people.

In the broadest order of its kind ever issued in this country, SPAB brought under Government control all construction from bungalows to factories, and even some projects of the state and national governments.

Projects now under construction, however, will be permitted to be com-

(Continued on page 6)

N. M. Schenck Tells About Bioff Deal

Loew's Head Says Bioff Asked for $2,000,000

Nicholas M. Schenck, president of Loew's, Inc., yesterday told Federal Judge John C. Knox and a jury in the trial of William Bioff and George E. Browne a story of the events leading up to the payments of monies to the defendants.

The witness, first to be called by the Government, testified the entire day after attorneys for the defendants waived their rights to an opening address. Schenck again will take the stand Tuesday at 2 P.M. when the trial resumes and his cross-examination by Martin Conboy, attorney for Browne, will continue.

David Bernstein, Loew's treasurer, is scheduled as the next witness with the probability that Leopold Friedman or J. Robert Rubin will be the following witness.

In the course of Schenck's cross-examination by George Breslin, an attorney for Bioff, the witness dis-

(Continued on page 7)

Scully Reports Many Univ. Circuit Deals

The largest number of circuit deals closed by Universal in a comparable period have been signed within the past few weeks, W. A. Scully, vice-president and general sales manager, reported yesterday following his return from a sales trip with W. J. Heineman, assistant sales manager.

Among the deals closed are those with many Paramount partners, the RKO circuit, the Famous Players

(Continued on page 6)

Hudson Institutional Ad Plan Is Making Headway

By SAM SHAIN

Earl Hudson's idea to sell the motion picture industry, institutionally, to the public, through the exhibitors of the country, which was presented Wednesday in Detroit at the convention of Michigan Allied, is making strong headway through the trade, it was learned yesterday.

First of the major companies to be considering support of the plan are Paramount, M-G-M and United Artists. Additionally, National Screen, it has been learned, is prepared to cooperate by providing special trailers for the institutional drive to exhibi-

(Continued on page 6)

U.A. Meet Postponed To Early Next Week

The meeting of the United Artists board of directors which had been tentatively scheduled for today was postponed to early next week when Mary Pickford was called to the Coast unexpectedly yesterday because of the serious illness of an intimate friend.

David O. Selznick is scheduled to arrive from the Coast by train this morning, and Miss Pickford is expected to return here this weekend.

It was learned that Charles Chap-

(Continued on page 6)

Some Home Offices To Close Monday

Home offices of RKO, Universal, M-G-M and Columbia will close at 1 P.M. Monday in observance of Columbus Day, which falls on Sunday but is being celebrated nationally a day later. Paramount plans to operate the full day while 20th Century-Fox will be closed the entire day. Other companies are as yet undecided.

Readers' Say-So

EDITOR, MOTION PICTURE DAILY:

I want to take this opportunity to commend you for the splendid coverage in your publication of the recent so-called Senatorial motion picture investigation.

The daily dispatches from Washington were extremely interesting and the calm and objective handling of the story was particularly praiseworthy.

The industry can be proud of its trade handling of a very dangerous subject.

Sincerely,
HARRY C. ARTHUR, JR.,
Vice-President, Fanchon & Marco, Inc.

Archibald Honored Before Joining RAF

LONDON, Oct. 9.—Representatives of American companies here today tendered a luncheon at the Dorchester House to George J. P. Archibald, joint managing director with Edward T. Carr of United Artists in England, on the eve of Archibald's departure to join the R. A. F. It is reported he may be offered an important key position in the civil administration.

Para. Group Plans Meet on 'Purchase'

Neil F. Agnew, Paramount general sales manager; Robert M. Gillham, advertising and publicity director; Al Wilkie and Alec Moss and a number of the company's field exploitation men are expected to leave for the studio next week to discuss special sales handling and merchandising of Louisiana Purchase."

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
DEANNA DURBIN CHARLES LAUGHTON
"IT STARTED WITH EVE"
ON STAGE: "Dreams"—Russell Markert's clever, imaginative revue. Symphony orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

CHARLES BOYER
Olivia DeHAVILLAND Paulette GODDARD
"HOLD BACK THE DAWN"
A Paramount Picture
PARAMOUNT
IN PERSON
XAVIER CUGAT AND BAND
JAY & LOU SEILER
TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW ROXY 7th AVENUE 50th STREET

Doors Open 9 a.m. PALACE B'way & 47th St. 25c Plus Tax To 1 P.M.
BETTE DAVIS
"The LITTLE FOXES"
"MOONLIGHT IN HAWAII"
with LEON ERROL

Personal Mention

W. F. RODGERS, Loew's vice-president and general sales manager, will arrive from the Coast Monday.

•

FRANK W. LOVEJOY, chairman of the board of Eastman Kodak Co., is the new president of the Rochester Civic Music Association.

•

SAM OBENDORFER of the Warner Theatre department, is the father of a daughter, born this week.

•

MIRIAM KARANSKY has announced her engagement to JAMES DAVIDSON, bookkeeper at the Universal New York exchange.

•

JOHN P. DONOHUE, Paramount manager for Puerto Rico, is visiting New York.

•

BEN LYON and BEBE DANIELS will arrive from the Coast tomorrow and after a week here will leave for Lisbon by clipper, returning to London.

•

MARY BENJAMIN, cashier at the Columbia Des Moines exchange, is spending a two-week vacation at Rock Island, Ill.

A. H. BLANK and G. RALPH BRANTON, Tri-States Theatre officials, have returned to Des Moines from New York.

•

JULIUS GORDON is here from Beaumont, Tex., for Paramount home office conferences and new season film deals.

•

J. J. FRIEDL of Minnesota Amusement Co. left for Minneapolis yesterday.

•

A. G. STOLTE, Tri-States district manager for the Des Moines area, is spending a two-week vacation in Mexico with MRS. STOLTE.

•

JOHN DAY, Paramount manager for Brazil, will leave for Rio de Janeiro tomorrow after a seven-week visit here.

•

SAMUEL KREISLER of the United Artists' home office publicity staff leaves today to join the Army.

•

FRED ARMINGTON, supervisor of checkers at the M-G-M Des Moines exchange, is convalescing at home following a month's illness.

Continue to Weigh Minn. Procedure

Attorneys for the major companies whose operations in Minnesota are affected by the state's anti-block-of-five law are continuing their meetings in an effort to determine upon a course of action as a result of the state court decision at St. Paul upholding the constitutionality of the act.

Attorneys for some of the six companies met again yesterday for the second time this week to consider the court's decision. A subsequent canvass of the companies represented at the meeting revcaled that no final decision has been reached. The companies have until Oct. 23 to file appeals if they elect to do so.

'Foot in Heaven' to Play at Music Hall

Warners has closed a deal with the Radio City Music Hall for "One Foot in Heaven," starring Fredric March and Martha Scott, to play the house within a short time.

Preceding "One Foot in Heaven" on the Music Hall schedule, and following the current "It Started With Eve," are: "All That Money Can Buy," "You'll Never Get Rich," "Appointment for Love" and "Suspicion."

Appoint Chairmen For 'Night of Stars'

Mrs. Herbert H. Lehman and Mrs. Roger W. Straus will be honorary chairmen of the Women's Division of the eighth annual "Night of Stars," United Jewish Appeal show for refugee relief, to be held at Madison Square Garden on Nov. 26. Other honorary chairmen are: Mrs. Barney Balaban, Mrs. Irving Berlin, Fanny Brice, Mrs. Eddie Cantor, Mrs. Joseph Strook and Sophie Tucker.

Mrs. Leo Spitz will act as executive chairman and aiding her will be: Mrs. Nate Blumberg, Mrs. Hal Horne, Mrs. Ted Lewis and Mrs. Abraham F. Wechsler. Vice-chairmen include: Mrs. Michael Addison, Mrs. Ben Bernie, Mrs. Sol Boneparth, Mrs. Phillip Brenner, Mrs. Israel Goldstein, Mrs. Irving Lewine, Mrs. Louis Nizer and Mrs. Damon Runyon. Mrs. Albert S. Liebers is director of the women's division.

Col. Votes Dividend

A quarterly dividend of 68¾ cents a share on the $2.75 convertible preferred stock of Columbia was declared by the company's board of directors yesterday. The dividend is payable Nov. 15 to stockholders of record Nov. 1.

NOTICE OF TRADE SHOWING

New York City—

Picture . . . . . TARGET FOR TONIGHT
Company . . . . . Warner Bros.
Date . . . . . Tuesday, October 14, 1941
Time . . . . . 10 a.m.
Place . . . . . Screening Rm., 321 West 44th St., N. Y. C.

Newsreel Parade

MORE war pictures from Mo cow are presented in the week end issues, which also contain inte esting subjects in the rescue of a pa achutist atop a Wyoming mounta and the Conway, N. H., girl fou after an eight-day search. The ove and their contents:

MOVIETONE NEWS, No. 10—Paracht tist rescued in Wyoming. Find missin girl in New Hampshire. Soviet war film Fur fashions in New York. Water skiir in Florida.

NEWS OF THE DAY, No. 208—Ne Hampshire girl found. Parachutist rescue from Wyoming mountain. Russian w films. British ship on northwest coast f repairs. Michigan bridge collapses. Fa fashions. Chimps in St. Louis zoo. Steepl chase run in Pennsylvania.

PARAMOUNT NEWS, No. 13—Neutra ity law discussed in Washington. Hurr cane in Florida. Tornado in Kansas Cit Parachutist removed from Wyoming mou tain. New Hampshire girl found. Dak sets up defenses.

RKO PATHE NEWS, No. 13—Trai wreck in Michigan. Moscow civilians lear home defense methods. New Hampshi girl found. Cable workers span Californ chasm. Calisthenic drills in Camden, N. Parachutist rescued from Wyoming mou tain. Marines land in Hawaii. The late in coiffures, New York. Australian conv in Singapore. Coast Guard trains mercha crews in Staten Island.

UNIVERSAL NEWSREEL, No. 22—D fense parade in San Francisco. Mercha crew under Coast Guard training in State Island. Navy tests blimp in Akron, New Hampshire child found. British wa ship in for repairs. Hurricane hits Florid Tornado in Kansas City. Rescuers rea parachutist atop Wyoming mountai "Profit" parade in St. Louis. Fur fashio in New York. Playful chimps in Buffal Rodeo in Texas.

Warners Close Deal With RKO Circui

Warner Bros. has closed a new sea son product deal with the RKO cir cuit nationally, it was learned yes terday.

Ask Review of 'Village'

ALBANY, Oct. 9.—Morris Erns counsel for Arthur Mayer and Jo seph Burstyn, today filed with th Board of Regents of New York Stat a petition for review of the film o Mexico, "Forgotten Village," whic was refused an exhibition license re cently by the state censor board.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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REALLY your best friend and severest critic!

THE human ear is a critical judge of sound — it won't put up with poor sound in pictures. *Good* sound, added to good pictures, has made millions of friends as well as millions of dollars for the motion picture industry.

Through making available many *basic contributions* that assured finer sound recording and higher quality reproduction, ERPI has been privileged for fifteen years to help you in pleasing the ears of theatre audiences throughout the world.

Electrical Research Products Inc.

195 Broadway, New York, N. Y.

Subsidiary of

Western Electric Company

First of a series of advertisements covering basic developments in the art of talking pictures.

20th Century-Fox Success Story!

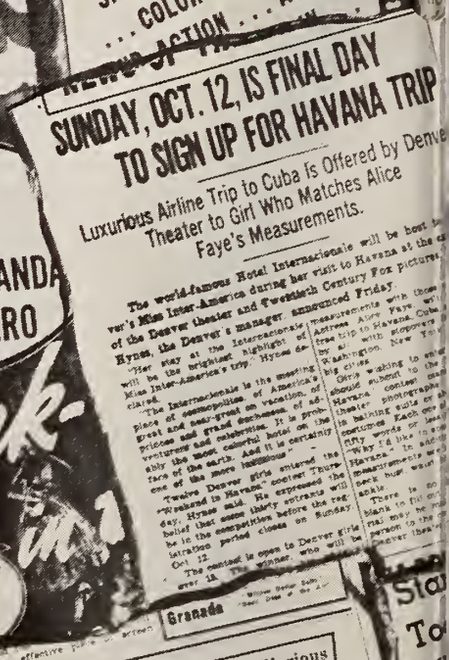
WHILE "A YANK IN THE R.A.F." CONTINUES ON ITS RECORD-SMASHING WAY THROUGHOUT THE NATION..."WEEK-END IN HAVANA" (Technicolor) BEGINS ITS FIRST ENGAGEMENT AT THE DENVER THEATRE, DENVER, WITH THE BIGGEST OPENING DAY'S BUSINESS IN 10 YEARS!

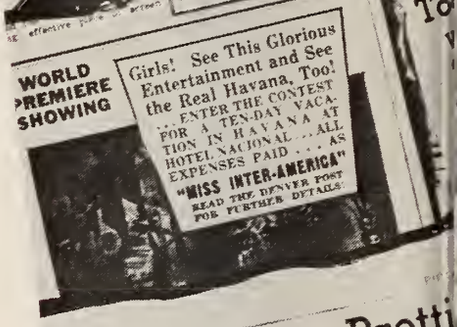
Topping even "Yank" and "Alexander's Ragtime Band"!

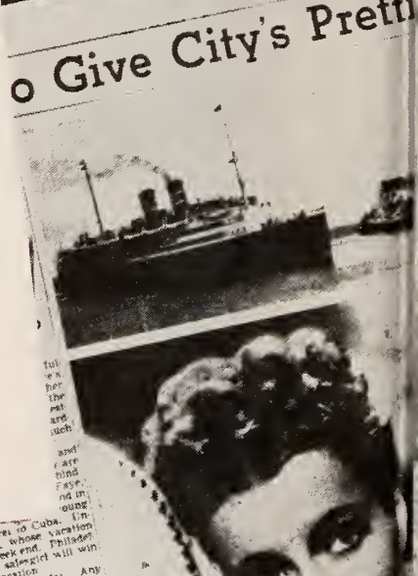
20th CENTURY FOX



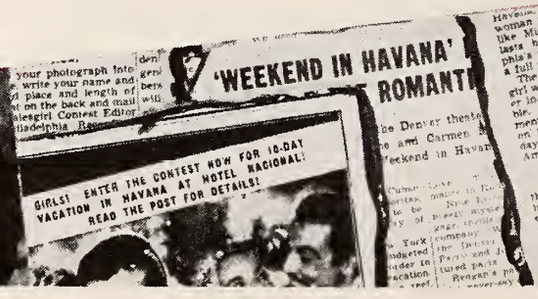












Spectacular Showmanship SHOWS THE WAY!

A "Week-End in Havana" For Miss Inter-America!

Bernie Hynes put it over in Denver! Everett Callow of Warner Bros. Theatres started it in Philadelphia! Complete details in the special "Week-End In Havana" press-book supplement . . . now on its way to your 20th Century-Fox Exchange!

ENVER GIRL
ET FREE TRIP
PITAL OF CUBA

VACATION IN HAVANA AWAITS SOME LUCKY COLORADO GIRL

Free Trip by Pan-American Clipper Includes All-Expenses-Paid Visit to Cuban Resort And American Cities.

No heiress could have a more luxurious vacation trip to Havana and return than the one which will be enjoyed by the winner of the Weekend in Havana contest conducted by the Denver theater and Twentieth Century Fox Pictures, according to Gabe ... York representative of the picture company ...

DENVER WILL GIVE SOME GIRL FREE CLIPPER TRIP TO CUBA

Big Contest to Select 'Miss Inter-America' Is Open To Femmes Over 18 Years Old Who Crave Real Vacation.

Some Denver girl is going to thrill to the wonders of playing hide-and-seek with the fleecy clouds above the warm Caribbean, safe and snug in a Pan-American Clipper! Some Denver girl will gasp at the wonders of New York, skip a heartbeat at the strange sights of Havana!

This Denver girl will be known as "Miss Inter-America" and she will be selected by her title-wind enjoy a free ten-day luxury trip to Havana and return—when she is chosen as the winner of the "Weekend in Havana" contest conducted by the Denver theater and Twentieth Century Fox pictures.

Any girl over 18 years of age and ... in Denver may enter this com... Entries are being re... a Weekend in Havana."

Photographs of entrants will be taken without charge in the lobby of the Denver theater Thursday (this evening) between 5:30 and 6 p. m. and Friday between 12:30 and 1 and 5:30 and 6 p. m. Dressingrooms are provided in the theater so girls may change to bathing costume or to shorts to be photographed.

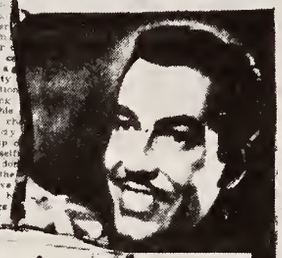
Finals in the "Weekend in Havana" contest will be held at 8:15 p. m. Monday, Oct. 13, on the stage of the ... theater. There the ten girls ... semi-finals ...

SOME DENVER GIRL WILL BE "MISS INTER-AMERICA!"

SEE THE PICTURE . . . SEE IT IN REAL LIFE, TOO!

. . . ENTER THE CONTEST NOW FOR ALL-EXPENSE VACATION IN HAVANA AT FAMOUS HOTEL NACIONAL!

Read The Denver Post for Details!



"What a chance for romance in Havana!"

One of These Girls May Become 'Miss Inter-America'

A glorious vacation in Havana, with all expenses paid, will be the reward of a Colorado girl who writes the best essay of fifty words on "Why I Would Like a Weekend in Havana" and whose measurements most closely approximate those of Alice Faye, film star. Alice Faye's latest picture, "Weekend in Havana," is coming to the Denver theater Tuesday. Girls who wish to enter the contest should send letters photos and measurements to the Weekend in Havana contest manager at the Denver theater before 8 p. m. Sunday, Oct. 12. Some of the girls whose entries already have been received are shown here. All are from Denver except Eva Mae Ryel, who lives in Joes, Colo.



WEEKEND DENVER

...ban jungle dance based on voodoo ... importer from Africa. The tune ... dance are called the "Nango" ... pronounced Nyango).

...Pan who rehearsed the dance with ... of 200 feminine dancers, has ... that it outdoes anything ... on the screen in the ...

Girl a Week's Trip to Havana

Sidney Skolsky's

WEEKEND IN HAVANA AWAITS LUCKY GIRL WHO WINS CONTEST

The vacation of a lifetime awaits some Colorado girl who can write a terse, fifty-word letter on "Why I Would Like a Weekend in Havana," and whose measurements most closely approximate those of Film Star Alice Faye, who is coming to the Denver theater Tuesday in her latest film, "Week End in Havana."

FINALISTS WILL APPEAR ON DENVER STAGE

To all Salesgirls

WORKING IN ... OR SMALL STORES

ONE OF YOU WILL HAVE A FREE WEEK IN HAVANA!!

...ABSOLUTELY FREE!

...FOR THEATRE FRIDAY, OCTOBER 17th.

GIRLS ... it's the Opportunity of a Lifetime and the realization of every dream you've ever dreamed

It's simple ... ALL YOU HAVE TO DO is send your photograph to the Editor of A Week End in Havana Salesgirl Contest, care of The Philadelphia Record.

It's ONLY FOR SALESGIRLS and is a local contest, NOT a national contest! One girl from Philadelphia must go to Havana

NO ESSAY . . . NO QUIZ . . . JUST YOUR PHOTOGRAPH

RULES: The contest will run from Monday, Oct. 6, up to and including Sunday Midnight, Oct. 12. Ten finalists will be selected by the Board of Judges and on Tuesday, Oct. 14 will attend a luncheon at the Ritz Carlton Hotel, Phila. The winner will be announced on Wednesday, Oct. 15 and on Friday, Oct. 17 will attend the Phila. Premiere of "A Week End in Havana." She will sail for Havana on Saturday, Oct. 18. ENTER NOW!

Entries Pour In as Search Begins

Vacation In Havana Is Reward

By ELSIE FINN

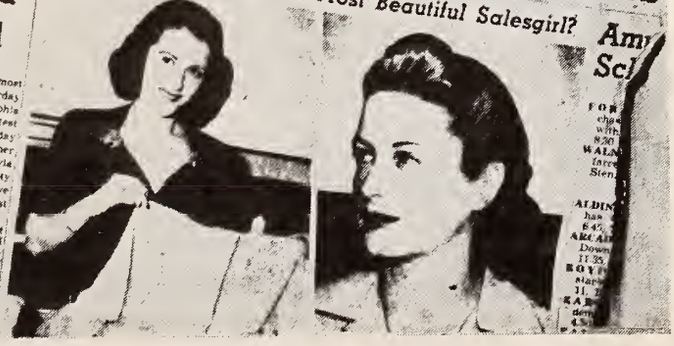
Who is Philadelphia's most beautiful salesgirl? Yesterday the heroine of the Philadelphia Record Stanley Warner contest was completely unknown. Today she begins to emerge from her behind the counter obscurity via dozens of photographs of pretty salesgirls that already have reached the Salesgirl Contest Editor.

Whoever is the city's comeliest counter queen must step up and claim beauty's reward—a handsome wardrobe, a place of honor at the Philadelphia premiere of "Week End in Havana" and, most exciting of all, a full week's vacation in Havana, Cuba, isle of fun and romance.

Rules Are Simple.

The Most Beautiful ... Contest ...

Who Is Philadelphia's Most Beautiful Salesgirl?



Para. Debts to Be Exchanged For One Loan

(Continued from page 1)

an equal amount of outstanding 3¼ per cent debentures and corporate notes.

The exchange offer is effective to Nov. 7 unless extended by the company to a later date.

The two classes of outstanding obligations of the company to which the exchange offer applies are the $12,681,000 principal amount of 3¼ per cent convertible debentures, due March 1, 1947, and a total of $7,355,782 of indebtedness to banks represented by the company's corporate notes, payable from the end of the year to 1951 at intervals.

Total $25,000,000

The new debentures, like the present ones, will be unsecured, but will not be convertible. They will comprise an aggregate principal amount of $25,000,000 but the company states it has no present intention of issuing any of the additional $5,000,000 principal amount of debentures over and above those required for the exchange offer.

None of the present debentures exchanged will be reissued, but will be either cancelled or applied to sinking fund requirements, the company stated. Manufacturers Trust Co. is agent for the exchange offer.

Hudson Institutional Ad Plan Is Making Headway

(Continued from page 1)

tors at cost. It is understood that this offer was made by George Dembow, sales head of National Screen, at the Detroit convention.

Hudson has been working on his idea for a long time, and with Claude Lee, public relations chief of Paramount, got it in shape for presentation at the convention. Basically it is a plan for the industry to sell itself through the testimonial utterances of noted local and national figures, which have been made by these eminent persons, from time to time, at events of local and national interest.

"It is time for the motion picture industry to mobilize its manpower to sell itself in the same manner which the industry never fails to utilize to sell local and national public institutions whenever called upon," one executive said in supporting the Hudson-Lee idea.

The idea is still in the formative stage and yesterday, over the long-distance telephone, Ray Branch, head of Michigan Allied, spoke encouragingly and hopefully that it would be set in motion soon. "Everybody at the Michigan Allied convention," the exhibitor leader said, "thinks it is a grand idea."

To Organize Committee

It is expected, one leader said yesterday, that a national committee would soon be organized for finding ways and means of putting the national drive into effect. In Michigan it is stated efforts will be made to start on the plan, locally, at least, with the help of Michigan Allied, the Detroit United (Paramount), Butterfield Circuit and other exhibitor branches.

From the original idea of trailer testimonials to be shown in the theatres the plan has now spread to include billboards and lobby blowups and trade paper, newspaper and magazine advertising along similar lines. Such trailers and advertising, it is explained, will have the portrait of the personality who is quoted as the background and on the figure the quotation will be superimposed. The idea essentially is an advertising one.



Gov't Order Halts Theatre Building

(Continued from page 1)

pleted if it is possible to get the necessary materials.

Determination whether a new building project will be given approval in the future will depend upon whether it involves the use of appreciable quantities of critical materials and, if so, whether it is essential that it be carried out at this time.

Warners Preview English War Film

(Continued from page 1)

"splendidly and thrillingly" recording the work of the RAF Bomber Command. Warners have not yet set a release date on the film, which runs 48 minutes.

No professional actors are employed, the men involved being members of the RAF, shown in their routine of war. The film is most notable for its simple realism, with much that is strongly dramatic inherent in the film record. The film will be released under a percentage agreement with the British Government, according to company officials. Jonah Jones and E. Catford are given screen credit as photographers.

The film will be tradeshown Tuesday at 10 A.M. at the Warner home office.

Scully Reports Many Univ. Circuit Deals

(Continued from page 1)

Canadian and Odeon circuits in Canada and the three-year deals with Fox West Coast and Warners Theatres reported earlier.

Deals with Paramount partners include Balaban & Katz, Great States, Minnesota Amusement, Wilby & Kincey, Intermountain Theatres, Interstate and Texas Consolidated circuits and Mullin & Pinanski. A deal also has been closed with Butterfield Theatres, Michigan.

Mutual Takes Over The Maxine Elliott

The Maxine Elliott Theatre, legitimate stage house on West 39th St., has been leased by Mutual and will be converted into a studio theatre for network shows. It will open Nov. 3 after alterations. The house seats 963 at present. This is the network's first acquisition of a theatre.

Broadway Grosses Hold to Good Pace 'Honky Tonk' Is Big

(Continued from page 1)

starring Charles Boyer and Margaret Sullavan, has been booked into the Music Hall for an early showing "How Green Was My Valley," 20th Century-Fox picture, is scheduled for the Rivoli Oct. 29.

"This Woman Is Mine" goes into the Rivoli tomorrow, succeeding "Unfinished Business," which finished its fifth week with an estimated $12,000.

"Law of the Tropics" opened at the Globe yesterday replacing "Great Guns," which drew an estimated $5,100 for the week.

U.A. Meet Postponed To Early Next Week

(Continued from page 1)

lin, who had planned to come East to testify at the Senate subcommittee's hearings on alleged film propaganda in Washington and to attend the board meeting here, cancelled his plans for the trip when the subcommittee hearings were postponed indefinitely. As a result, Chaplin probably will be represented by Charles Schwartz, his New York counsel, in the event the board meeting is held.

Selznick May Start Before Year End

CHICAGO, Oct. 9.—David O. Selznick here today said he expected to have his first new production for United Artists release in work by the end of the year, with the possibility that the second will be in work by the end of January. He said he was unable to identify the two productions at this time.

The producer said that "Gone With the Wind" will be released again before March 1, 1942, to the smaller theatres which have not yet played the picture. He emphasized that the picture would not be cut or shown at lower admission scales than before. He indicated, however, that exhibitors may be given a better percentage leeway in terms than before in order to compensate the smaller houses for a less frequent turnover due to the length of the picture.

Charges Newspaper Pressure on Station

WASHINGTON, Oct. 9. — Rogar Jones, owner of KVOS, Bellingham, Wash., charged before the FCC today that a local newspaper exerted pressure to prevent press associations from serving his station.

His charges were denied by W. J. McCambridge, general manager of Press Association, Inc., who testified KVOS was denied service because it had allegedly "pirated" AP reports.

Studio Unions Get Counter Proposals

(Continued from page 1)

to be settled by the unions involved, rather than by the producers.

Comment on the counter-proposals could not be obtained yesterday from representatives of the IATSE locals but they are scheduled to make their responses to the producers at a meeting scheduled for today. Some of the locals had demanded increases of 15 and 20 per cent.

J. M. Schenck Tells About Bioff Deal

(*Continued from page* 1)

sed that Loew's Theatres through intermediary, Mort Singer of Chi-, paid Browne $100,000 in the of 1935 to prevent a threatened ike against Loew's New York eatres by operators' Local 306. henck related that C. C. Moskoitz had reported that Browne had nanded the sum as the price for his ercession in a dispute between ew's and the union. RKO theatres re also involved in the dispute, he ntinued, and the payment of $100,-0 was Loew's share alone. This payent was allegedly made before any cussion had occurred in reference the $550,000 allegedly paid by the ur film companies.

Traces Background

Schenck related with detail the ckground and negotiations which sulted in the alleged payment. He id that in November, 1936, Browne lled a strike of theatres in Chicago compel the restoration of the TSE as a party to the basic labor reement. Schenck contended that persuaded AFL heads to agree to store the IATSE as a party when ese leaders confessed that they had way of supplying projectionists if owne called a new strike.

A few days before April 16, 1936, e date of a scheduled meeting on the sic pact, Schenck related, Browne lephoned him and then appeared at s office with Bioff, whom he introced to Schenck. The testimony ntinued that Bioff then said: "I am e boss. I elected Browne for one rpose, and that is to get $2,000,000 t of the motion picture industry."

Schenck said he was amazed at the quest and told Bioff, "that he was azy and didn't know what he was lking about."

Bioff then stated, the story contind, that he would cost the film inistry many times more if his deand was not met. He told Schenck at the latter should think it over and t him know, Schenck testified.

Schenck Advised Kent

On April 16, at the labor meeting, chenck said, he advised Sidney R. ent, president of 20th Century-Fox, to the Bioff demand. At that same eeting, he said, Bioff and Browne ivately discussed the matter with ent and the witness, and offered to duce the demand from $2,000,000 to ,000,000 because "maybe that much n't be taken out of the industry." oth Schenck and Kent protested and gued that it was impossible to meet e demand. Bioff again advised them think it over, but insisted on an rly answer, Schenck said.

On April 18 Kent and Schenck met with Browne and Bioff at which time the latter two agreed to accept $50,000 a year from the four big companies and $25,000 annually from the smaller companies, Schenck stated. Arguments proved of no avail, he said. Bioff insistently demanded the money, warning them that a refusal would bring dire results.

A few days subsequently, Schenck said, he brought $50,000 in the form of a "bundle" to Browne and Bioff in their hotel room. He was accompanied then by Kent, who brought along a similar sum. The money was counted by the defendants, the testimony continued, "and when they finished, we got out of the room as fast as we could."

The witness said that he had told only David Bernstein, J. Robert Rubin and Kent of what occurred. He obtained the money from Bernstein, treasurer of Loew's.

'Very Distasteful'

The matter was "very distasteful" to him, Schenck said. He subsequently arranged for a designee, appointed by Bioff, to pay as a subagent for DuPont Film Co. in California, certain "commissions" received by him to Bioff in lieu of cash.

Counsel for the defendants objected to the question of what Schenck believed Browne and Bioff would do if the money was not paid.

Schenck answered, "I thought that our business would be destroyed, since they showed us what they could do by closing theatres in Chicago."

Schenck faced cross-examination for three hours without being shaken. He said that he had not gone to the District Attorney or the U. S. Attorney, and expressed regret that he had not done so.

Settle Clearance Complaint in Phila.

PHILADELPHIA, Oct. 9.—The clearance complaint of Columbus Stamper, operator of the Great Northern here, against Loew's, Paramount, 20th Century-Fox and Warner Theatres was terminated by a settlement reached in advance of today's scheduled hearing.

The settlement provides that the seven-day clearance of Warners' Keystone over the Great Northern is reasonable and the defendants to limit the availability of product for the latter house to a maximum of 21 days after Warners' Strand. A similar agreement was entered by 20th Century-Fox.

NEW HAVEN, Oct. 9.—Joseph L. Shulman of the Plaza, Windsor, Conn., has filed a clearance complaint here naming the consenting companies and the Windsor Theatre, Windsor.

Col. Opens Regional Meeting Here Today

(*Continued from page* 1)

president; Abe Schneider, Nate Spingold, Rube Jackter, Louis Astor, Louis Weinberg, Max Weisfeldt, Leo Jaffe, Hank Kaufman, Maurice Grad, Mort Wormser, George Josephs, William Brennan, Bernie Zeeman, David Lipton, Hortense Schorr, Vincent Borelli, Joseph Freiberg, Seth Raisler, Irving Sherman, Lou Melamed, Al Seligman, Jack Segal and Arnold Picker.

Grainger Leaves For Coast Meeting

James R. Grainger, Republic president, left by plane yesterday for the Coast, planning to stop en route at Detroit, Chicago and Dallas. He will preside at the first of four regional meetings at the studio next Wednesday and Thursday. On the return trip Grainger plans to stop in San Francisco, St. Louis and Pittsburgh, reaching the home office Oct. 27.

SAILORS ON LEAVE

A REPUBLIC PICTURE



CHUCK: Relax, Mike, I got a great gal for you. Her name is Cobina. She'll be aver os soon as she gets her hair an — up, I mean.



THOMPSON: That's all, brather. You can get a divorce tamarraw. But tanight you get married. You don't even have to propase. The boys have proposed for you. All you do is nod.



SWIFTY: Haw da yau like that guy. A battleship costs fifty-eight millian dallars—and he won't laan a dime an it!

William **LUNDIGAN** ★ *Shirley* **ROSS**

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 73 NEW YORK, U.S.A., MONDAY, OCTOBER 13, 1941 TEN CENTS

MR. MAURICE McKENZIE,
% MOTION PICTURE PROD. &
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exico Strike ettled; Men Get 15% Raise

ionists Had Asked for One-third Increase

EXICO CITY, Oct. 12. — The xican film workers strike which s launched first against Loew's Warners more than a month , was settled here yesterday on sis acceptable to the eight major ributors who had maintained a d front against the union's initial nands throughout the contro- sy.

The union workers were granted wage increases of 15 per cent y the distributors, as contrasted with the 33 1/3 per cent increases originally demanded and, n addition, successfully resisted demands of the union for nclusion of theatre checkers nd office cashiers in the union's nembership.

The latter demand was the princi- obstacle to an agreement through-

(Continued on page 4)

olumbia Endorses udson Ad Proposal

Columbia Pictures' endorsement of -1 Hudson's institutional advertising n for motion pictures and the in- try, through exhibitors, was given Abe Montague, Columbia general es manager, at the company's East- regional convention at the Hotel rwick here over the weekend.

Montague also voiced approval of Allied States' proposal for a joint ustry committee to handle prob- as pertaining to all branches of the ustry and to seek increased indus- unity.

Montague attended the Michigan ied meeting in Detroit last week which Hudson, head of United De-

(Continued on page 4)

ix Companies Close At 1 O'clock Today

Warners and United Artists will se at 1 P. M. today in observance Columbus Day. Also operating a lf day are RKO, M-G-M, Uni- rsal and Columbia. Paramount ll be open all day, while 20th Cen- y-Fox will observe the full holi- y.

Brackett, Buchman Head Election Slate For Writers' Guild

HOLLYWOOD, Oct. 12. — Charles Brackett and Sidney Buchman, nominated for president, head the slate of the Screen Writers Guild presented by the nominating committee. Additional nominations for the officers and the board may be made by petition and from the floor at the annual meeting Nov. 12.

Nominations presented by the committee include: Ralph Block and Mary McCall, Jr., vice-president; Leonard Lee and Robert Rossen, secretary; Richard Maibaum and Harry Tugend, treasurer.

For the executive board, for which 11 will be elected plus six alternates, the following have been nominated: Art Arthur, Claude Binyon, Ralph Block, Charles Brackett, Harold Buchman, Sidney Buchman, Hugo Butler, Alan Campbell, Jerome Cho-

(Continued on page 4)

William Fox to Be Called for Sentence

WASHINGTON, Oct. 12. — Department of Justice officials announced Friday that William Fox will be called for sentencing on charges of conspiracy to obstruct justice and defraud the United States, to which he pleaded guilty in Philadelphia. No date was announced.

Attorney General Biddle said that no new trial will be sought for Judge Davis, indicted with Fox, whose two previous trials resulted in jury disagreements.

Linde Should Have Bought a U.S. Bond

Minneapolis, Oct. 12.—Per M. Larson, assistant county attorney here, is investigating chance games in theatres because a winner imbibed his winnings.

When Ernest H. Linde won $3, he visited a bar, subsequently became involved in a fracas, which was halted by the police, and heard Municipal Judge William A. Anderson, before whom he appeared, declare, "This is gambling." Then followed the announcement of Larson's investigation.

AFL Delegates Lay Basis for Browne Ouster

SEATTLE, Oct. 12.—What is believed by officials to be a paving of the way for the elimination of George E. Browne, I. A. T. S. E. president, from the executive council of the American Federation of Labor, occurred here when the convention delegates in session unanimously voted to amend the Federation's constitution so as to reduce the executive council membership from 15 to 13.

A. F. L. officials, pointing to the absence of opposition to the amendment, indicated they anticipated no difficulty in electing an executive

(Continued on page 4)

Union-Studio Talks Facing New Problems

IATSE Envoys Absent From Negotiations

Negotiations with the IATSE studio locals faced new complications over the weekend as the international representatives, Steve Newman and Carl Cooper, absented themselves from the negotiations as the locals weighed the producers' counter-proposals.

Further complicating the procedure, several business representatives of studio locals received directions to return to Hollywood within a few days, whereas others were instructed by their locals to remain here until they obtained their original demands.

No meetings are scheduled with the producers' committee, headed by Pat Casey, today but the sessions are expected to be resumed tomorrow. No agreements were reached at Friday's sessions, at which the representatives of the locals voiced objections to virtually all of the producers' counter-proposals. These included wage increases for the rank-and-file workers amounting to 10 per cent and increases as high as 50 per cent for some classifications of technical workers.

Upstate House Wins Clearance Reduction

A consent award was entered Friday at the New York arbitration board in the clearance complaint against the five consenting companies brought by Cornwall Amusements, Inc., operator of the Storm King Theatre, Cornwall-on-Hudson, N. Y.

Under the award, which was entered by Osmond K. Fraenkel, arbitrator, the former 30-day clearance of the Ritz and Broadway theatres, Newburgh, over the Storm King was reduced to a maximum of 20 days for

(Continued on page 4)

SMPE to Observe 25th Anniversary

The Society of M. P. Engineers will observe its 25th anniversary at its 50th semi-annual convention to be held Oct. 20 to 23 at the Hotel Pennsylvania here. More than 200 delegates are expected to attend.

On the opening day several new of-

(Continued on page 8)

24 Touring Units Planned For Army and Navy Shows

One of the largest aggregations of live talent shows ever to tour the country is planned by the Citizens Committee for the Army and Navy as the result of discussions with heads of the armed forces held in Washington last week.

Committee officers declared here that they planned to have in operation by Dec. 1 a total of 24 touring units to play before soldiers and sailors. These units are scheduled to give 4,000 performances in the six-month period starting Dec. 1. Vaudeville, musical revues and legitimate stage plays are planned. Six units are now

(Continued on page 8)

SPG Will Get Mail Ballot on CIO Vote

Ballots will be mailed Friday to members of the Screen Publicists Guild here for a referendum on affiliation with the CIO. The union will be known as Screen Office and Prosionnal Employes Guild, Local 109, if affiliation is voted.

At its regular meeting last week, the SPG voted support of the Stop Film Censorship Committee and made a financial contribution to the committee. The amount was not disclosed.

The committee includes a number of theatrical unions.

Selznick Arrives To Close UA Deal

David O. Selznick confirmed the fact that his partnership production deal with United Artists has not been "completely closed," when he arrived here Friday from the Coast.

The producer stated that the deal is in good order and that several phases of it already are closed, but that some papers remain to be signed. He said no complications have arisen and that final closing of the deal is expected during his two-week stay in New York. A decision on a new president for the company also is expected during that time.

Selznick said that no formal board meetings of United Artists owners have been scheduled during his stay here and that his meetings with Mary Pickford, Alexander Korda, Edward C. Raftery and other United Artists officials will be of an "informal' nature. Miss Pickford was schcduled to return here yesterday from a brief visit to the Coast.

With Selznick on his arrival here were Laudy Lawrence, Selznick's newly appointed special representative, and Val Lewton, his story editor.

Canadian Circuit's Managers Convene

TORONTO, Oct. 12.—Twentieth Century Theatres, new affiliate of Famous Players Canadian Corp., held its first annual convention of managers here over the weekend under the direction of N. A. Taylor, general manager; Raoul Auerbach, executive assistant, and Lloyd M. Mills, general supervisor. The agenda included an outline and discussion on plans and policy of the circuit, with a get-together of the managers, many of whom were new to the organization.

Albany Variety Club Holds Meeting Today

ALBANY, Oct. 12.—Formation of the new local Variety Club is the order of business at tomorrow's get-together in the Hotel Ten Eyck. The Ten Eyck is slated to be the headquarters of Tent No. 9, which recently got back its old charter from national headquarters in Pittsburgh. M. A. Silver, New York state zone manager of the Warner Circuit, will preside at tomorrow's gathering.

Tunberg to 20th-Fox

HOLLYWOOD, Oct. 12.—William Tunberg, formerly assistant in the 20th Century-Fox story department, has been appointed assistant to William Dozier, head of Paramount's story and writing departments.

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Personal Mention

DR A. H. GIANNINI is in town from the Coast.

•

JAMES C. PETRILLO, president of the American Federation of Musicians, left for Chicago over the weekend by United Airlines.

•

VIC CARLSON of the 20th Century-Fox branch in Chicago has been given an honorable discharge from the Army.

•

JOSEPH BERNHARD and HARRY GOLDBERG leave for Chicago tonight.

JOHN JOSEPH, Universal advertising and publicity director, will leave for the Coast tomorrow following a home office visit of several weeks.

•

F. L. HARLEY, 20th Century-Fox managing director in England, is expected here in December.

•

FRANK WOODRUFF, RKO director, was expected over the weekend from the Coast.

•

EDWARD L. KLEIN, executive of Nu-Art Films, was operated on Friday at Post Graduate Hospital.

WB, RKO Ask Cut in N. Y. Tax Assessment

Warner Bros. Pictures and subsidiaries, Stanley-Mark-Strand Corp. and Intrastate Theatre Corp., have filed five petitions in N. Y. Supreme Court against the New York City Tax Commission for the reduction of 1941-'42 assessments. The petitioners asked that an assessment of $3,420,000 on the Strand Theatre be scaled down to $2,128,000; $1,125,000 against the Hollywood Theatre to $525,000; $1,210,000 on the exchange at 315 W. 44th St., to $885,000; $175,000 on the home office building, 309 W. 44th Street, to $150,000; and an assessment on a warehouse at 617 W. 54th St. of $976,000 be cut to $641,000.

RKO Radio Pictures also filed a petition asking that the assessed valuation of $415,000 placed on the Pathe Building at 35 W. 45th Street be reduced to $250,000.

RKO Closes 9 New Season Film Deals

RKO has closed nine additional deals on new season product, Ned E. Depinet, distribution head, has announced. The deals have been set with: Florida State Theatres, 102 theatres; Kincey Theatres, 86 houses; Jefferson Amusement Co., and East Texas Theatres, 76 houses; Lucas & Jenkins, 53 houses; Everett Enterprises, 24 houses; J. Real Neth Theatres, six houses; Lam Amusement Co., 13 houses; United Amusement Corp., Canada, 25 houses; Confederation Amusements, Ltd., Canada, seven houses.

McGrann Leaves Col. Exploitation Post

Frank McGrann, Columbia exploitation manager for the past seven years, has resigned to become vice-president of Modern Merchandising Bureau, for which he will handle motion picture tieups. Frank P. Rosenberg, assistant exploitation manager, has been named acting head of the department.

Edington Reported Seeking Settlement

HOLLYWOOD, Oct. 12.—It is reported that Harry Edington, former RKO production chieftain, has asked to be relieved of his duties and a settlement of his contract. Edington has been engaged in special RKO production activity under Joseph I. Breen and Sol Lesser.

M-G-M Launches New War Department Film

HOLLYWOOD, Oct. 12.—Darryl F. Zanuck, chairman of the research council of the Academy of M. P. Arts & Sciences, today announced the start of another War Department training film, known as "Operation of a Reconnaissance Patrol at Night." The film, to be made by M-G-M, presents peculiar technical problems in that it must appear as having been photographed after dark and the faces of all principals must be darkened in accordance with usual military procedure to reduce possibilities of detection by the enemy.

Reed Testimonial Set in New Haven

NEW HAVEN, Oct. 12.—Joseph F. Reed, Connecticut exhibitor who was showing film in this city as far back as 1911, will be guest of honor at a 30th anniversary testimonial luncheon Tuesday at Ceriani's Restaurant.

Dr. J. B. Fishman, Samuel Seletsky and Daniel Pouzzner are in charge of reservations for the event, which is sponsored by Allied Theatre Owners of Connecticut, of which Reed is chairman of the executive board. Harry F. Shaw, Loew-Poli division manager, will be master of ceremonies.

W.B. Plan Premiere Of 'Target' Shortly

Warners plan a world premiere of "Target for Tonight" at a first run house on Broadway within the next two weeks, officials of the company stated on Friday. The film was produced by a Crown film unit of the British Government, and is one of the first factual feature pictures of the RAF in action.

Ask Only Exhibitors To 'Valley' Tradeshow

Exhibitors are requested not to bring their friends to the trade screening of "How Green Was My Valley" at the 20th Century-Fox projection room at the New York exchange, Oct. 20, at 2 P. M. Limited accommodations in the projection room is the reason for the request.

Open Krasna Play Nov. 4

The new play by Norman Krasna, "Fire Escape," produced by Frank Ross, will open at the Belasco Theatre here on Nov. 4.

Obituaries

Reno Exhibitor Killed

RENO, Oct. 12.—J. Fred Miller, manager of the Wigman Theatre, di as a result of an automobile-truck c lision near Redwood City, Cal. H mother-in-law, Mrs. H. R. Hanco 67, of Santa Cruz, Calif., also w killed, and his wife, Mildred, 43, w injured.

Iowa Exhibitor Dies

IOWA CITY, Ia., Oct. 12.—Char V. Brown, owner of the Strand Th atre here, died late last week in Mer Hospital of a cerebral hemorrha Brown was a veteran of theatre oper tion in the state.

Helen Morgan Rites Held

CHICAGO, Oct. 12.—Funeral servic for Helen Morgan, former screen st and theatrical entertainer, who di here Wednesday, were held yesterd in a La Grange, Ill., chapel with bu ial following in that town.

Norman V. Norman Dies

Norman V. Norman, 67, one London's best known actor manage and former European manager f the Shuberts, died in London on Fr day, according to word reaching he

Second Blackout in Ottawa October 2

OTTAWA, Oct. 12.—Ottawa's secon blackout is scheduled for Oct. 26. T first, which took place early in t Summer, was only over a part of t capital, while the forthcoming on in addition to taking in outside v lages, will include the entire city.

Fourteen theatres are in the are and managers are instructing the staffs in air raid precautions. T tentative time for the start of t blackout is 10:30 P.M. and it is n expected that theatre attendance w be affected, owing to the lateness the blackout.

May Resume Stage Shou

CHICAGO, Oct. 12.—The Orient large Loop house, may return to sta shows about Oct. 31, Harold Costel executive of the company operati the theatre, said here. If the poli is changed, Charles Hogan of W ners may book the house.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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NEW SEASON! WARNER BROS. NEW BOXOFFICE HIGHS!

AFL Delegates Lay Basis for Browne Ouster

(*Continued from page* 1)

council ticket this week on which Browne's name will not appear.

Reduction of the council's membership by two, also eliminates the post formerly occupied by Thomas A. Rickert of the United Garment Workers, an A. F. L. second vice-president, who died last July.

The vote on the amendment was taken after the law committee, headed by Daniel J. Tobin, Teamsters' union president, recommended it on the basis of a report from the executive council. The official explanation of the move was that it was designed to simplify and expedite council proceedings since it had been difficult to obtain quorums of the council for meetings since its enlargement from eight to 15 members in 1934.

It was learned that action on the move had been delayed by the convention in the hope that Browne would resign voluntarily, thus sparing the convention the embarrassment of ousting him while he is under fire in Federal court at New York.

Brown-Bioff Trial Resumes Tomorrow

The legal holiday today will prevent continuance of the trial of George E. Browne and William Bioff. The cross-examination of Nicholas M. Schenck, president of Loew's, Inc., is expected to be concluded shortly after the trial is resumed at 2 P.M. tomorrow.

The Government is expected to continue with Loew executives to complete its version of the transactions with the IATSE union leaders. David Bernstein, treasurer for Loew's, is scheduled to follow Schenck and either Leopold Friedman or J. Robert Rubin is expected to follow Bernstein.

Officers Nominated For Writers Guild

(*Continued from page* 1)

dorov, Marc Connelly, Myles Connolly, Olive Cooper, Philip Dunne, Francis Faragoh, Joseph Fields, Paul Franklin, Paul Gangelin, Oliver H. P. Garrett, James Gow, Don Hartman, Boris Ingester, Charles Kaufman, Harry Kurnitz, Leonard Lee, Robert Lees, Richard Macauley, Richard Maibaum, Brian Marlow, Mary McCall, Jr., Jane Murfin, George Oppenheimer, E. E. Paramore, Jr., Frank Partos, Nat Perrin, Maurice Rapf, Betty Reinhardt, Allen Rivkin, Stanley Roberts, Robert Rossen, Stanley Rubin, Dwight Taylor and Harry Tugend.

Ballet Caricatured In Alex Gard Book

Alex Gard, in a new book, "Ballet Laughs," published by the Greystone Press, offers a series of caricatures of the people who make the ballet what it is in this country. Gard indicates what he calls "these grotesqueries" to the artists of the ballet, and Walter Terry, critic of the New York *Herald Tribune*, has provided an entertaining introduction.

Reviews

"International Lady"

(Edward Small-United Artists)

HERE is good, substantial motion picture fare of the kind that helped to build the screen's great following over the years. Edward Small has fashioned it from a fast-moving action-filled story, crammed it with adventure, suspense, excitement, and leavened it with romance and an occasional dash of humor. It is stirring entertainment of the kind that gave the name "motion" to pictures. If you have customers who will buy that type of entertainment, you have a fine box-office attraction in "International Lady."

It is always on the move, from London in an air raid where government agents take shelter with an alluring spy, to Lisbon by plane where foreign agents congregate, to New York by clipper where the spy hunt reaches its climax. Always in the background are the deliveries of America's vital planes and supplies to England, while in the foreground are as clever and resourceful a band of spies as fiction or fact has devised, together with the equally resourceful, but cleverer, men who hunt them down.

George Brent as the FBI man and Basil Rathbone as his friendly Scotland Yard rival for the distinction of gathering in the ringleaders who have sabotaged American planes and tipped off the sailings of supply ships give smoothly engaging performances. Ilona Massey, as a concert artist and important cog in the spy ring, in other words, as the international lady, provides the romantic interest even when she is in the throes of being a most effective "menace," and does both with a fine talent for conviction and allurement.

Lesser roles are faultlessly handled by George Zucco, Francis Pierlot, Martin Kosleck, Charles D. Brown, Marjorie Gateson and Frederic Worlock. Tim Whelan's direction extracts every opportunity for excitement and suspense from the screenplay.

Running time, 100 minutes. "G."* SHERWIN A. KANE

"Jesse James at Bay"

(Republic)

RAILROAD swindlers again meet their nemesis in the person of Jesse James, who in this particular incident in his career, encounters a poker-sharp double, and sings.

The yarn is solidly constructed, capably handled by players and director, and further embellished by splendid photography and deft camera maneuvering. Western fans, critical or otherwise, should find the presentation wholly satisfactory.

Roy Rogers apparently worked overtime in this, appearing in almost every scene as either friend "Jesse" or foe "Clint Burns," the gambler who exploits his resemblance to Jesse via the frame-up route. George "Gabby" Hayes, Gale Storm, Sally Payne, and a number of others participate. Joseph Kane was associate producer and director.

Running time, 56 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Upstate House Wins Clearance Reduction

(*Continued from page* 1)

Loew's, 20th Century-Fox and Warners' product. The complaint was dismissed as to Paramount and RKO when testimony showed that they did not sell to the plaintiff.

To Intervene in Camden Complaint

PHILADELPHIA, Oct. 12.—Hearings on the clearance complaint of A. M. Ellis of the Parkside, Camden, N. J., were adjourned to Oct. 17 by Robert J. Callaghan, Jr., arbitrator, on Friday in order to permit former Judge Joseph Varballow to intervene in the proceedings for his Victoria Theatre, Camden.

Ellis's second complaint, involving his Liberty Theatre, Camden, also is scheduled for hearing Oct. 17.

The arbitrator took under advisement an application by Warners' Lyric, Camden, to intervene in the Parkside case. Ellis's complaint asks a reduction of the Parkside's second run playing time from 21 to 14 days after first run in Camden.

Union Payroll Factor at Hearing

ST. LOUIS, Oct. 12.—Union classification of theatres was injected into the hearing of Victor Thien's clearance complaint against Paramount and 20th Century-Fox here. Matt Schuler of Fanchon & Marco testified that the circuit's theatres have a larger payroll than the complainant's. The hearing was adjourned to Oct. 18.

Oriental Hearing in Chicago Postponed

CHICAGO, Oct. 12.—Hearing of the Oriental Theatre clearance complaint has been postponed to Oct. 20 by stipulation of the parties concerned. This is the third date set.

W. B. Buys Lawes Story

HOLLYWOOD, Oct. 12.—Warners have announced the purchase of "My Life in Sing Sing," autobiography of former Warden Lewis E. Lawes.

Mexico Strike Settled; Mer Get 15% Rais

(*Continued from page* 1)

out the strike, since the distribu contended that to agree to the uni ization of those workers would tantamount to surrendering contr their own business affairs.

Film Service Resumed

In refusing the demand, the tributors were prepared to cease b ness in Mexico indefinitely and stopped film deliveries to Mexi theatres on Oct. 5 after the requi 30-day contractual notice to their counts. American home office fore departments stopped film shipment their Mexican branches early in strike. Both services were resur immediately, from New York and the theatres. Houses in Mexico (have been forced to depend on fore and independent product for the p week, and, with grosses falling sharply, had petitioned the gove for authority to cut down house p sonnel, which brought new press to bear on the union.

Columbia Endors Hudson Ad Propos

(*Continued from page* 1)

troit Theatres, described his plan "selling" the industry to the pul by means of advertising testimoni from representative public figures. Columbia sales head described the p as "a very constructive and wor while one" and said his company v support it.

The meeting, which closed yest day, was the second of three regio meetings being held this month. M tague said the meetings were fo necessary because of the release a production this season of the great number of top-bracket pictures in company's history. He described top-bracket picture as one costing minimum of $600,000, and said t whereas Columbia in the past relea an average of one such picture ev three months, its current seas schedule calls for the release of such production every two we throughout the year.

Speed Up Liquidation

Montague said that because of th the sales organization has encounte "bottlenecks" which obstruct or de liquidation of releases. The sales ganization, accordingly, is being geared to speed up picture liquidati he said.

For the first time in years, the sa force was told, the company's pi duction schedule has been so comple ly planned in advance that titles a casts of all of the remaining pictu on this season's schedule can be giv to exhibitors now. In addition, said, the studio is geared to deliv for release a picture every week.

To maintain the new tempo of r lease and liquidation of pictures, d trict managers meetings will be h by the company at frequent interv throughout the year.

tudio Activity ndicated by asting Pace

HOLLYWOOD, Oct. 12.—HAROLD LLOYD s closed a deal to star KAY YSER in "My Favorite Spy," com- y by M. COATES WEBSTER, for O release. . . . Young RAY Mc- ONALD has been given two "fat" rts at M-G-M, one the lead a new story of American youth th VIRGINIA WEIDLER, and the her teaming with JUDY GARLAND d MARTA EGGERTH in "Very Warm r May," musical . . . SAM WHITE ll direct "I'll Be Back in a Flash," xt CHESTER MORRIS vehicle Pine- homas will produce for Paramount.

• •

The Milton Herth trio has arrived re to be featured in Universal's 0,000,000 Nickels," story of the ke boxes . . . LOUISE BEAVERS is cycling between retakes for M-G- 's "Shadow of the Thin Man" and ork in "The Vanishing Virginian" . . NANCY KELLY joins PAT O'BRIEN. AROLE LANDIS and CESAR ROMERO 20th Century-Fox's "Highway to ell" . . . RUDOLPH MATE, cinema- grapher, has been given a three- ar contract by ALEXANDER KORDA.

• •

RICARDO CORTEZ and JOAN WOOD- RY will be teamed by the Ko- sky Brothers in "I Killed That an," for Monogram release. . . . AIL PATRICK joins the cast of -G-M's "We Were Dancing" . . . rst exploitation special of Pro- cers Releasing Corp.'s new season ll be "Swamp Woman," starring CK LA RUE and ANN CORIO. EL- ER CLIFTON directs from a screen- ay by ARTHUR G. DURLAN. MER- CK-ALEXANDER produces.

• •

JEAN PARKER has been signed by ILLIAM C. THOMAS and WILLIAM . PINE for three more pictures . . . ATRICIA DANE joins the cast of -G-M's "I Married an Angel," hich ROY DEL RUTH will direct. ANETTE MACDONALD and NELSON DDY are starred.

Whistling', Heidt Hit in Minneapolis

MINNEAPOLIS, Oct. 12.—"Whistling the Dark," coupled with Horace eidt on the stage, did $22,000 at the rpheum. "Dr. Jekyll and Mr. Hyde" counted for $8,500 at the State. Estimated receipts for the week ding Oct. 3-4:

Whistling in the Dark" (M-G-M)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 ys. With Horace Heidt and band, Fred wery, Larry Cotton, others. Gross: 2,000. (Average, $5,500)
ere Comes Mr. Jordan" (Col.)
WORLD—(350) (28c-39c-44c-55c) 7 days, d week. Gross: $2,800. (Average, $1,600)
Vhen Ladies Meet" (M-G-M)
CENTURY—(1,600) (28c-39c-44c) 7 days, d week. Gross: $5,500. (Average, $4,000)
r. Jekyll and Mr. Hyde" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days. oss: $8,500. (Average, $6,000)
ad Men of Missouri" (W. B.)
GOPHER—(998) (28c) 8 days. Gross: 800. (Average, $2,500)
ungle Cavalcade" (5 days)
an Antonio Rose" (Univ.) (5 days)
lighway West" (W. B.) (2 days)
light Shoes" (Univ.) (2 days)
ASTER—(900) (15c-28c) 7 days. Gross: 800. (Average, $1,000)

It Rings Tonight

Pottsville, Pa., Oct. 12

THIS city last week started enforcing a curfew for all persons under 16. Mayor Claude A. Lord has ordered police to take into custody all children found on the streets alone after the fire whistle is blown at 9 P.M.

'Parachute' Scores $32,500, Pittsburgh

PITTSBURGH, Oct. 12.—"Parachute Battalion" and Glenn Miller's band on the stage zoomed to a near-record $32,500 at the Stanley. All other grosses were off.

Estimated receipts for the week ending Oct. 2:

"This Woman Is Mine" (Univ.)
FULTON — (1,700) (30c-50c) 7 days. Gross: $4,200. (Average, $5,000)
"Lydia" (U. A.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $12,500. (Average, $13,000)
"When Ladies Meet" (M-G-M)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $2,800. (Average, $3,000)
"Here Comes Mr. Jordan" (Col.)
SENATOR—(1,800) (28c-39c-55c) 7 days, 2nd week. Gross: $7,300.
"Parachute Battalion" (RKO)
STANLEY—(3,600) (28c-44c-66c) 7 days. On stage: Glenn Miller's orchestra, variety bill. Gross: $32,500. (Average, $18,000)
"The Stars Look Down" (M-G-M)
"Smiling Ghost" (W. B.)
WARNER — (2,000) (28c-44c) 7 days. Gross: $4,200. (Average, $5,000)

'Honky Tonk' Draws $22,500 in St. Louis

ST. LOUIS, Oct. 12.—Enjoying its best business since "Boom Town," Loew's drew $22,500 with "Honky Tonk." "Sergeant York" playing at advance prices at the Missouri, grossed $13,500.

Estimated receipts for the week ended Oct. 2:

"Citizen Kane" (RKO)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $7,800. (Average, $11,000)
"Ladies in Retirement" (Col.)
"Here Comes Mr. Jordan" (Col.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $7,700. (Average, $11,500).
"Sergeant York" (W. B.)
MISSOURI—(3,514) (40c-50c-60c) 7 days Gross: $13,500. (Average, 30c-40c-50c, $4,000)
"Face Behind the Mask" (Col.)
"Invisible Ghost" (Mono.)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $6,000. (Average, $2,600)
"Honky Tonk" (M-G-M)
LOEW'S—(3,162) (28c-39c-44c-56c) 7 days. Gross: $22,500. (Average, $13,000)

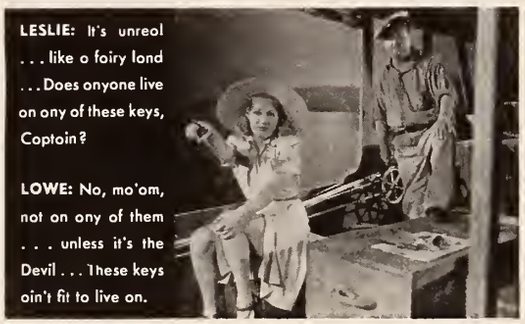
'Caroline' at $7,500; Indianapolis Is Dull

INDIANAPOLIS, Oct. 12.—"Wild Geese Calling" and "My Life With Caroline" drew $7,500 at the Circle, only first run to go over average in a warm and rainy week.

Estimated receipts for the week ending Oct. 3:

"Wild Geese Calling" (20th-Fox)
"My Life With Caroline" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $7,500. (Average, $6,500)
"Belle Starr" (20th-Fox)
"Private Nurse" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,000. (Average, $7,000)
"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $8,000. (Average, $8,000)
"Sun Valley Serenade" (20th-Fox)
"Dressed to Kill" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $4,500. (Average, $5,000)







MERCY ISLAND

Ray Gloria
MIDDLETON · DICKSON
OTTO KRUGER
DON DOUGLAS · FORRESTER HARVEY
TERRY KILBURN · WILLIAM MORGAN—Director

Screen play by Malcolm Stuart Boylan
From the novel "Mercy Island" by Theodore Pratt

A REPUBLIC PICTURE

Buy U.S. Defense Bonds

'Wife' Tallies Good $7,900 Seattle Gross

SEATTLE, Oct. 12.—"Our Wife" at the Liberty took a strong $7,900. "Hold Back the Dawn" drew $7,800 at the Fifth Avenue. Competition was afforded by "Hellzapoppin" on the stage at the Metropolitan. The weather was cooler and rainy.

Estimated receipts for the week ending Oct. 3:

"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Whistling in the Dark" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Moved from Fifth Avenue. Gross: $4,100. (Average, $4,000)
"Hold Back the Dawn" (Para.)
"Scattergood Meets Broadway" (RKO)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,800. (Average, $7,000)
"Our Wife" (Col.)
"Harmon of Michigan" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. Gross: $7,900. (Average, $5,000)
"Charley's Aunt" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 5th week. Moved from Paramount. Gross: $3,100. (Average, $4,000)
"Belle Starr" (20th-Fox)
"Down in San Diego" (M-G-M)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,900. (Average, $6,000)
"Hello Sucker" (Univ.)
"Hurricane Smith" (Rep.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $5,200. (Average, $5,000)
"Sun Valley Serenade" (20th-Fox)
"Broadway Limited" (U.A.)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)

'Kanes' Scores Big $20,000 in Detroit

DETROIT, Oct. 12.—Moderate autumn weather helped grosses. The Michigan drew $20,000 with "Citizen Kane" and "West Point Widow." The Fox also tallied $20,000, with "Belle Starr" and "Two Latins From Manhattan."

Estimated receipts for the week ending Oct. 2:

"Sun Valley Serenade" (20th-Fox)
"Harmon of Michigan" (Col.)
ADAMS—(1,800) (15c-39c-44c-55c) 7 days, 2nd week. Gross: $7,200. (Average, $5,500)
"Meet John Doe" (W. B.)
"There's Magic in Music" (Para.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,600. (Average, $7,000)
"Belle Starr" (20th-Fox)
"Two Latins from Manhattan" (Col.)
FOX — (5,000) (20c-44c-55c-65c) 7 days. Gross: $20,000. (Average, $15,000)
"Citizen Kane" (RKO)
"West Point Widow" (Para.)
MICHIGAN — (4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $20,000. (Average, $12,000)
"Manpower" (W. B.)
"The Reluctant Dragon" (RKO)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $7,000)
"Lady Be Good" (M-G-M)
"Down in San Diego" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 2nd week. Gross: $10,000. Average, $10,000)

Seattle Civic Group Forms Film Council

SEATTLE, Oct. 12.—A group of educational and civic leaders has incorporated the Greater Seattle Motion Picture Council here with a slogan, "Patronize the best—eliminate the rest."

Heading the group is Mrs. Charles G. Miller, prominent civic leader and clubwoman. Assisting are Mrs. Theodore Farrell, Mrs. Louis Marks, Mrs. Wilbur Zundel, Miss Leona Tolbert, and Mrs. D. M. Deutch.

Reviews

"All-American Co-Ed"

(UA-Roach)

Hollywood, Oct. 12

HAL ROACH's third Streamlined Feature stacks up as superior to his second, "Niagara Falls," by quite a margin, and a mite less successful than his first, "Tanks a Million," which had the advantage of the vogue for cantonment comedies.

This is the strongest of the three in point of marquee values. It offers Frances Langford, Harry Langdon, Johnny Downs, Marjorie Woodworth and Noah Beery, Jr., as exploitation names, plus Esther Dale, Alan Hale, Jr., Kent Rogers, Joe Brown, Jr., Irving Mitchell, Lillian Randolph and Carlyle Blackwell, Jr., in support. (Presence of the Juniors Beery, Hale, Brown and Blackwell suggests special publicity ideas.)

In point of subject matter, the film has timeliness on its side in that colleges are but now getting going and this is all about collegians, and the production utilizes all the essentials of the "Charley's Aunt" idea plus modernization. The college boy who dons the feminine attire enrolls in a girls' school this time, precipitating plenty of complications, most of them funnier than the original.

Four song numbers and some dance routines are worked into the proceedings with telling effect by Producer-director Leroy Prinz, whose handling of the whole is up to his best previous endeavors.

Running time, 50 minutes. "G."* ROSCOE WILLIAMS

"Billy the Kid in Santa Fe"

(Producers Releasing—1940-'41 Release)

WITH a story of minor interest and limited excitement, this is generally unimpressive. The performances for the most part are adequate but fail to lift the western above the routine.

The yarn adheres to the familiar formula with the hero of the title, Bob Steele, assigned to give the outlaws a dose of their own medicine. Dennis Moore is the obscure clerk, whose brother is framed and who does most of the work for "The Kid," administering revenge through the barrel of a six-shooter. David O'Brien, Al St. John, Rex Lease, Marin Sais and others also take part in the proceedings. Sigmund Neufeld produced the film, which was directed by Sherman Scott.

Running time, 66 minutes. "G."* EUGENE ARNEEL

"G" denotes general classification.

'Foxes' Is Capital Smash at $18,000

WASHINGTON, Oct. 12.—A slight decline at the box-office was noted, due at least in part to unseasonal heat. "The Little Foxes" at RKO Keith's did a resounding $18,000.

Estimated receipts for the week ending Oct. 1-2:

"Law of the Tropics" (W.B.)
WARNERS' METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $4,800. (Average, $3,500)
"Married Bachelor" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Jackie Heller. Bryant, Raines & Young, Duval, Three Fonzal Boys, Rhythm Rockets. Gross: $16,560. (Average, $15,500)
"The Little Foxes" (RKO)
RKO-KEITH'S—(1,843) (39c-55c) 7 days. Gross: $18,000. (Average, $10,000)
"Belle Starr" (20th-Fox)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,000. (Average, $3,500)
"Aloma of the South Seas" (Para.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $10,000. (Average, $15,000)
"Texas" (Col.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Andrews Sisters, Billy Rayes, Roxyettes, Lowe, Hite & Stanley. Gross: $18,400. (Average, $15,000)

Theatre-Radio Tieup

LEWISTON, Pa., Oct. 12. — Station WMRF here is cooperating with the local Rialto Theatre, in giving time to radio personalities when they make appearances at the theatre. Paul O. Klingler manages the house.

Smith Again Heading Canada Film Society

OTTAWA, Oct. 12. — Dr. Sidney Smith, president of the University of Manitoba, has been reelected president of the Canadian National Film Society. Charles G. Cowan of Ottawa, and Victor Dore, Superintendent of Education in Quebec, were returned as vice-presidents.

O. C. Wilson, secretary, reported films distributed by the Society through its library units were shown to an aggregate audience of 405,000 persons in 1940, as compared with 117,000 in 1939.

Sponsor 'Dumbo' Opening

The opening of the Walt Disney-RKO feature cartoon, "Dumbo," at the Broadway Theatre on the evening of Oct. 23 will be sponsored by the Vocational Service for Juniors.

Set for 'Tulip Time'

HOLLYWOOD, Oct. 12.—M-G-M plans to feature seven young players in "Tulip Time in Michigan," which will have as a background the annual Michigan flower fete.

Theatre Raises Price

WOODSTOCK, Ill., Oct. 12.—The Miller Theatre here has raised the Tuesday bargain night price from 15 cents plus two cents tax to 20 cents including tax.

'Store' with Show $22,500 Chicago Lead

CHICAGO, Oct. 12.—The State-Lake with "The Big Store" and Lionel Hampton's orchestra and a Harlem Revue on the stage drew $22,5[illegible] "Sun Valley Serenade" at the Chicago Theatre grossed $37,000. "Here Comes Mr. Jordan" at the United Artists took $15,000.

Estimated receipts for the week ending Oct. 2:

"Aloma of the South Seas" (Para.)
APOLLO — (1,400) (30c-40c-59c) 7 days. Gross: $5,000.
"Sun Valley Serenade" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Variety bill. Gross: $37,000. (Average, $32,000)
"Dive Bomber" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)
"Kiss the Boys Goodbye" (Para.)
"Blossoms in the Dust" (M-G-M)
ORIENTAL — (3,200) (25c-40c) 7 days. Gross: $7,500. (Average, $9,000)
"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
PALACE — (2,500) (30c-40c-60c) 7 days, 2nd week. Gross: $12,000. (Average $13,000)
"Belle Starr" (20th-Fox)
"Nine Lives Are Not Enough" (W.B.)
ROOSEVELT — (1,500) (30c-40c-59c) days. Gross: $10,500. (Average, $11,000)
"The Big Store" (M-G-M)
STATE-LAKE — (3,700) (25c-35c-40c-50c) 7 days. Stage: Lionel Hampton Orchestra & Harlem Revue. Gross: $22,500. (Average, $14,000)
"When Ladies Meet" (M-G-M)
(1 day, 4th week)
"Here Comes Mr. Jordan" (Col.)
(6 days)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days. Gross: $15,000. (Average, $14,000)

'Honky Tonk' Gets $14,000 in Frisco

SAN FRANCISCO, Oct. 12.—"Honky Tonk" hit $14,000 at the Warfield. Also good despite the hot weather was $12,800 at the Paramount for "Hold Back the Dawn" and "Buy Me That Town."

Estimated receipts for the week ending Sept. 30-Oct. 2:

"My Life With Caroline" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) days, 2nd week. Stage: vaudeville. Gross $10,500. (Average, $15,000)
"New Wine" (U.A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days. Gross: $7,600. (Average, $8,000)
"Our Wife" (Col.)
"Cracked Nuts' (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) days, 2nd week. Gross: $6,700. (Average $8,000)
"Hold Back the Dawn" (Para.)
"Buy Me That Town (Para.)
PARAMOUNT — (2,740) (15c-35c-40c-50c) 7 days. Gross: $12,800. (Average, $11,50[illegible]
"Navy Blues" (W.B.)
"Highway West" (W.B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $15,000. (Average, $16,000)
"Belle Starr" (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) days, 2nd week (Moved over from Fox). Gross: $6,400. (Average, $6,000)
"Kukan" (State Rights)
CLAY—(400) (15c-35c-45c) 7 days, 9 week. Gross: $1,000. (Average, $1,000)
"Honky Tonk" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) days. Gross: $14,000. (Average, $12,000)

Levinger Joins NSS

Herbert Levinger, advertising ma[illegible] has been named special service repre[illegible] sentative for National Screen Servi[illegible] in Chicago, replacing Phil Roud[illegible] resigned.

FAME

The Audit of Personalities

EIGHTH ANNUAL EDITION
OF THE INDUSTRY'S INTERNATIONAL
REFERENCE AUTHORITY ON TALENT
VALUES IS NOW IN PREPARATION
BY THE WORLD-WIDE STAFF OF
QUIGLEY PUBLICATIONS • • •

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

Charge Stahlman Threatened UP on Service to Station

WASHINGTON, Oct. 12.—James G. Stahlman, publisher of the Nashville Banner, was represented before the FCC on Friday as having threatened to discontinue his United Press Service if the news agency served a Nashville Broadcasting station.

The situation was developed by commission counsel during the questioning of Edwin M. Williams, vice-president of the UP, who admitted that the station did not get the service, but denied it was due to Stahlman's pressure.

Williams, under heavy questioning, went into a number of situations where newspapers had opposed the furnishing of UP service to local stations, but in each instance asserted that publishers' protests were not the controlling factor in the failure of the service and stations to reach a satisfactory agreement. In most instances, however, it appeared that where the newspapers objected, the stations did not get United Press service, it was indicated by the testimony.

Para. Meeting on 'Purchase' Friday

The Coast meeting of Paramount exploitation executives with Neil Agnew, general sales manager, and Y. Frank Freeman, studio chief, to discuss the distribution of "Louisiana Purchase" will be held at the Ambassador Hotel in Los Angeles, next Friday through Sunday.

Attending, in addition to Agnew and Freeman, will be Robert M. Gillham, advertising and publicity director; Al Wilkie, publicity director; Alec Moss, exploitation head; George Brown, studio publicity chief, the latter's staff, and the following field exploitation men: Sidney Mesibov and Gep Evans of New York; Fred Bartow, Chicago; William Brooker, Philadelphia; Arnold Van Leer, Boston; Jack Dailey, Dallas; J. Maxwell Joice, Cleveland; William Lansburg, Kansas City; James Lundy, Denver; Norman Sprowl, Cincinnati; E. J. Wall, Albany; John H. Hewlett, Atlanta, and Ralph Ravenscroft, Los Angeles.

Reserves Decision On Quiz of Petrillo

N. Y. Supreme Court Justice Julius Miller on Friday reserved decision on an application of the American Guild of Musical Artists to direct James C. Petrillo, president of the American Federation of Musicians, to submit to a comprehensive examination before trial. The Guild seeks to question Petrillo in reference to a suit to restrain the AFM president from barring AGMA members from the screen, radio and concert halls.

Station Supervisor Is Named in Quebec

MONTREAL, Oct. 12.—Maurice Goudault, manager of Station CBM and CBF for the past three years, has been appointed supervisor of station relations in the Quebec region, it was announced by the local CBC office. Goudault will have jurisdiction over affiliated and private stations in addition to those of the Government.

Off the Antenna

RCA has developed more than 40 replacement materials for supplies on the priorities lists, it was announced over the weekend. Of these, about 20 are being used for radio production and a dozen more are scheduled to be introduced soon. It was pointed out that many plastics had been developed to replace metals but even plastics are feeling the pinch because of a shortage of formaldehyde needed in their manufacture. The search for an alternative to plastics has been successful in many cases, it was reported.

• • •

Purely Personal: *Frank Danzig, WMCA production man, will join the CBS production staff today and will be succeeded at WMCA by William Royal, formerly with Wheaton Advertising Agency. . . . Alton Cook,* World-Telegram *radio editor, will act as guest quizmaster of "Kid Wizards" over WHN tomorrow night. . . . Joseph Malone and Rich Hall, CBS writers, have been signed by Warners. . . . Thomas Moore, Jr., formerly with J. Walter Thompson and Lord & Thomas, has been named commercial program manager at WOR. . . . Samuel H. Gellard has been named assistant general manager and sales manager at WBYN, and Norman H. Warembud has been appointed program manager. . . . NBC has renewed Ed East's contract for an additional two years.*

• • •

An annual series of awards is planned by Harper & Bros. for 10 outstanding radio plays. The first awards, contained in "The Writer's Radio Theatre, 1940-1941," by Norman Weiser, which will be published Wednesday, are distributed among CBS, NBC and Mutual, with five, three and two, respectively.

• • •

Program News: Walter Wanger Productions will sponsor a broadcast over 15 Mutual stations Thursday at 11:30 P.M. in connection with the Los Angeles premiere of "Showdown." . . . Lever Bros. has added 15 stations for a total of 72 to the CBS hookup carrying Edward G. Robinson's "Big Town." . . . Ed Dooley, heard on Mutual, has been signed by WNEW to broadcast Tuesdays, Thursdays and Saturdays at 7:45, alternating with Bob Considine. . . . NBC-Blue is offering the NBC Symphony for 24 weeks' sponsorship at the package price of $300,000. . . . Serutan Co. will sponsor Drew Pearson and Robert Allen over NBC-Blue Sundays, 6:30-6:45 P.M.

SMPE to Observe 25th Anniversary

(*Continued from page* 1)

ficers and governors of the society will be elected. Emery Huse of Hollywood, S. M. P. E. president, will open the convention, at which technical papers describing the important advances in the industry will be presented. Television, also, will have a prominent place in the program.

The society's 50th semi-annual banquet and dance will be held Oct. 22 and its Progress medal and Journal award will be presented to this year's winners at that time.

Baltimore Station Asks More Power

WASHINGTON, Oct. 12.—Station WFBR, Baltimore, has asked the FCC to authorize an increase in power from 5,000 to 10,000 watts.

Applications also were received from Stations WHBC, Canton, Ohio, for change of frequency from 1,230 to 1,480 kilocycles and increase of power from 250 to 1,000 watts, and WSBT, South Bend, Ind., for increase of power from 500 to 1,000 watts.

A construction permit for a new 740-kilocycle station with 1,000 watts power, day only, was asked by Percy C. Klein, Alexandria, Va. Station WIBC, Indianapolis, asked for increase in power from 1,000 watts night, 5,000 watts day, to 5,000 watts night, 10,000 watts day.

Chicago Fund Meeting

CHICAGO, Oct. 12.—Members of the theatre division of the Chicago Community Fund met at a luncheon in the Congress Hotel here. Jack Kirsch, president of Allied Theatres of Illinois, is general chairman of the division.

To Revise British Manpower Report

LONDON, Oct. 12.—It is believed in certain trade circles here that the report on the manpower needs of the film industry will be drastically amended.

Industry representatives on the committee which conducted an exhaustive survey of industry employe needs have indicated their refusal to sign the initial draft, recommending calling up for military service virtually all eligible men. A milder version of the report may be prepared. The committee will meet again on Thursday when a final report is expected to be completed.

British Curfew Rule Is Seen As Unlikely

LONDON, Oct. 12.—Following conferences between representatives of the Cinematograph Exhibitors Association and officials of the Ministry of Transport and Home Security, over threatened curfew imposition, it was indicated that no arbitrary curfew order may be expected from the Government.

It was emphasized that the Government desires to offer no interference with the regular habits of the people unless required to do so for the public safety. It was believed a solution might be worked out by cooperation between exhibitors and local authorities, using staggered closing hours and other voluntary adjustments.

It is understood exhibitors have been advised that no alteration of operating hours of Central London houses need be expected.

Plans House in Norfolk

NORFOLK, Va., Oct. 12.—E. L. Collamer, operator of the Park, neighborhood house here, plans to erect another at a cost of $50,000. The new theatre will seat 700.

Previews in Jail

Auburn, Cal., Oct. 12

THE former women's jail at the Placer County Court House here has been converted into a motion picture screening room. It will be used for showing films which first must be approved by the Superintendent of Schools before being shown in Placer County schools.

Plan 24 Tour Units For Service Show

(*Continued from page* 1)

in operation in various section

The program will supplement th six-times-weekly film shows at th camp which are run by the Arm directly. As Winter shows will hav to be given indoors, except in th South, the committee plans to tak over the film theatre on nights whe a committee unit arrives in camp. is expected that a live talent unit wi reach each camp about once a for night, although some units may pla an engagement of several days in th larger camps.

The committee will abandon its po icy of free shows and charge abo 25 cents admission.

The shows will be varied, includin vaudeville shows, streamlined music comedies, and legitimate comedies ar a few dramas. The shows will pla 72 Army camp theatres and 13 Nav stations.

Representatives of all theatric unions on Friday at a meeting of th Citizens Committee here pledged fu cooperation in the undertaking.

Libeled by 'Time,' Transradio Claim

A libel suit for $730,000 in N. Supreme Court was revealed on Fr day when Time, Inc., publisher *Time,* filed application for an ord directing the examination of the offi cers of Transradio Press Service, In which brought the suit.

The complaint charged that the d fendant in its June 24, 1940, issue pul lished an article which slandered th plaintiff by stating that it gave fal and inaccurate statements over th air, was pro-Nazi, and knowingly ga radio statements falsified by represe tatives of the German governmer Transradio alleged that as a cons quence of the article it lost 40 sul scribers, including a number of in portant radio broadcasting stations.

Philadelphia Store Sponsors FM Sho

PHILADELPHIA, Oct. 12.—The fir commercial FM contract to be sign in Philadelphia was completed b tween WIP and the local Harry Dittman advertising agency for th Adams Clothes Stores to become th first sponsor of a series of FM pr grams. The sponsor operates a cha of men's clothing stores in this are

The type of show and startin time will depend on the beginning operations of WIP's FM statio W49PH. The FM station will ope ate on a 24-hour-a-day basis, simil to the present operation of WIP.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 74 NEW YORK, U.S.A., TUESDAY, OCTOBER 14, 1941 TEN CENTS

all Reaction Favorable to New FCC Rule

ourt Case Not Expected By Chairman Fly

WASHINGTON, Oct. 13.—Despite nunciation of the new FCC mon-ly rules by NBC, CBS and the tional Association of Broad-ters, FCC Chairman James L. declared today that reaction to new regulations has been "fav-ble." He added that he would "surprised if any one goes to rt" in view of the standing offer the commission to consider any dification than can be shown to necessary.

"Nothing constructive can be ained by going into court," Fly aid. He declared there would e no further extensions of ime unless it can be shown hat such procedure is neces-ary to get operations going in n orderly way.

Monopoly regulations, originally is-d in May, have been postponed

(Continued on page 8)

ocals Submit Pact Terms to Members

Business representatives of the keup artists, property men and ps, IATSE locals, have returned Hollywood to submit the producers' nter proposals to their demands on ges and working conditions to the mbership of the locals. They are eduled to return here to resume gotiations with the producers' labor

(Continued on page 8)

Y. Allied Names Members of Board

ALBANY, Oct. 13. — A permanent ganization of a New York State it of Allied was completed here to-y with the naming of a board of rectors. H. P. Wallace of Auburn s named chairman of the board; e Stone, Albany, treasurer, and onard L. Rosenthal, Troy, execu-e secretary.

Other members of the board are arles Wilson, Troy; Clarence pp, Johnstown; Mitchell Conery, avena; and Robert Goldblatt, Tarry-wn. The meeting was held at the otel Ten Eyck with about 35 ex-bitors present.

Holiday Good for B'way Bonus After Strong Weekend

With the weather crisp and clear, Broadway yesterday appeared to be the chief objective of the thousands of students and others observing the Columbus Day holiday. Theatre box-offices were unusually active. Lines formed early and were in evidence throughout the day. The Paramount and Roxy each had an extra show in the morning.

This was the follow-up to a good weekend, moreover. The Paramount, with "Hold Back the Dawn" and Xavier Cugat's orchestra had a Saturday-Sunday gross estimated at $24,000 and the show is expected to finish its second week tonight with an estimated $50,000. It will continue. At the Radio City Music Hall, "It Started With Eve" and a stage show grossed an estimated $55,000 Thurs-

(Continued on page 6)

Pickford and Korda Talk With Selznick

Mary Pickford and Alexander Korda conferred here yesterday with David O. Selznick on final phases of the latter's producer-owner deal with United Artists, closing of which may take place in a day or two.

Miss Pickford returned over the weekend from a brief Coast visit. The three are scheduled to confer during the week on the selection of a new United Artists president.

LaGuardia Guest At Ampa Thursday

Mayor F. H. LaGuardia of New York will be the honored guest and chief speaker at the second Ampa luncheon meeting of the new season, at the Hotel Edison on Thursday at 12:45 P.M., Vincent Trotta, president of the Ampa, announced yesterday.

Loew's, Para. Decide On Selling Methods For Minnesota Soon

Decisions on selling procedure in Minnesota may be made by Loew's and Paramount by the end of the week, company officials stated yesterday.

W. F. Rodgers, Loew's vice-president and general sales manager, said on his return from the Coast yesterday that he has not had time to consider future policy in Minnesota since the state's anti-block-of-five law was upheld by the state court at St. Paul, but expected to reach a decision in a few days after conferring with home office sales officials and counsel.

A Paramount official said that that company was considering a plan of action and might make a decision by the end of the week.

Warners already has indicated it will not sell in Minnesota under the state law and United Artists plans

(Continued on page 8)

Theatre Advertising Hit By Strike of Newsdealers

Theatrical advertising in metropolitan newspapers lost considerable circulation, it was estimated yesterday, when Newsdealers Federal Labor Union, Local 22371, AFL, started a strike on the newsstands against eight morning and afternoon dailies. The strike got under way unofficially on Friday but did not reach full momentum until yesterday, following a strike vote on Sunday.

The *Brooklyn Eagle* and *PM* were unaffected as the newsdealers had worked out a satisfactory agreement with those papers. The newspapers which were not carried on the stands were *World-Telegram, Sun, Post, Daily News, Times, Daily Mirror, Journal-American* and *Herald Tribune*. The union is demanding full credit for unsold papers, greater profit, elimination of allegedly coercive methods and other concessions.

Mark Variety Club Revival in Albany

ALBANY, Oct. 13.—More than 100 members and guests greeted the return of Tent No. 9 of the Variety Club at its reorganization in the Hotel Ten Eyck this noon as James Balmer, national officer from Pittsburgh and one of the Tent's 11 charter members, hailed it as a force for charity.

Balmer traced the Variety Club's inception and progress to date. Other speakers were Si Fabian, J. Myer Schine and Moe Silver, Warner circuit zone manager and chairman of the temporary reorganization committee.

Headquarters will be in the Hotel Ten Eyck, with a formal opening scheduled for Nov. 12. Officers will be elected shortly and will be installed Nov. 20 at a public meeting.

Exclusive Run Is Ruled Out Under Decree

Appellate Board Denies Loew Plea in Del. Case

The selling of exclusive runs by a distributor to its affiliated theatres is not authorized by the consent decree, the arbitration appeals board held yesterday in a decision denying an appeal by Loew's from a decision directing it to offer some run to the Earle Theatre, New Castle, Del. That theatre is in the same competitive area as Loew's Parkway, Wilmington, to which the distributor has been selling its product for years on an exclusive run basis.

"To enable independent exhibitors to obtain pictures is a basic object of the decree," the appeals board held in affirming the original award of Prof. Ruppert C. Schaeffer, Jr., who heard the complaint brought by David Silver, former owner of the Earle, at the Philadelphia arbitration board last Spring.

Loew's relied upon Section 17 of the decree in its appeal. That section specifies that "nothing contained in this decree shall be construed to limit, impair or restrict in any way whatsoever the right of each distributor defendant" to sell to its affiliated theatres "in such manner, upon such terms and subject to such conditions as may be satisfactory to it."

The complaint was brought under

(Continued on page 8)

No Nye-Clark Probe Sessions This Week

Washington, Oct. 13.—A meeting of the Nye-Clark propaganda subcommittee is unlikely this week but the members might be called together next week to discuss the future of the investigation, it was stated at the office of Sen. D. Worth Clark, subcommittee chairman, today.

Sen. Burton K. Wheeler, chairman of the Interstate Commerce Committee, who appointed the subcommittee, said today on his return to Washington from a speaking tour that he had taken no part in the inquiry and did not expect to.

Browne-Bioff Case To Resume Today

The principal part of the Government case against George E. Browne and William Bioff now on trial before Federal Judge John C. Knox and a jury is expected to start in earnest when trial is resumed at 2 P.M. today. Thus far the time has been occupied with the selection of the jury, opening statements by Mathias F. Correa, U. S. Attorney, and the testimony of Nicholas M. Schenck, president of Loew's Inc.

The cross-examination of Schenck is expected to be concluded shortly after the resumption of the session and additional witnesses are scheduled to take the stand this afternoon. David Bernstein will follow Schenck on the stand, it is understood. At the outset of the trial Correa estimated that 10 days would be occupied with the presentation of the Government's case, and defense counsel at that time stated that a similar amount of time would be required for their side.

Frank C. Walker Injured

CHILLICOTHE, O., Oct. 13.—Postmaster General Frank C. Walker was injured today when the National Limited of the Baltimore & Ohio Railroad slid into a freight locomotive near here. Walker, accompanied by his wife, who was uninjured, was treated for a slight head abrasion.

Associates Meet Thurs.

The Motion Picture Associates will hold a luncheon meeting at the Hotel Lincoln on Thursday, at which final plans for the organization's annual dinner and dance Nov. 19 at the Hotel Astor will be discussed. Broadway theatre managers have been invited to attend the luncheon.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
DEANNA DURBIN CHARLES LAUGHTON
"IT STARTED WITH EVE"
ON STAGE: "Dreams"—Russell Markert's clever, imaginative revue. Symphony orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

CHARLES BOYER
Olivia DeHAVILLAND Paulette GODDARD
"HOLD BACK THE DAWN"
A Paramount Picture
PARAMOUNT
IN PERSON
XAVIER CUGAT AND BAND
JAY & LOU SEILER
TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW ROXY 7th AVENUE 50th STREET

RKO PALACE B'WAY & 47th St.
BETTE DAVIS
"The LITTLE FOXES"
"MOONLIGHT IN HAWAII"
with LEON ERROL

Personal Mention

MR. AND MRS. JOHN MORONEY have returned to Dallas from New York.

•

FRANK N. PHELPS, in charge of labor relations for Warner Theatres, has returned from New England and Ohio.

•

CARLOS ROCHA, director of the film publication, *Cinegrafico,* of Havana, is visiting here.

•

HARRY LEE of the Warner home office publicity department has written an appreciation of Thoreau, "More Day to Dawn," published by Duell, Sloane & Pearce.

•

HOWARD SHOUP of the Warner studio is in town.

JACK SEGAL, Columbia assistant foreign manager, leaves for Buenos Aires by plane today to attend the company's Latin American convention.

•

C. C. MARGON, Universal Latin American manager, has left for South America.

•

ARTHUR WILDE of the Warner studio publicity department and NORMA LINDBLOOM were married over the weekend at Las Vegas, Nev.

•

DONALD PALMQUIST, assistant manager of the Century Theatre, Minneapolis, and IRENE JOHNSON were married yesterday in Minneapolis.

•

EDWARD LYNCH, manager of the New Theatre, Baltimore, has returned from a vacation.

Legion Approves Twelve New Films

The National Legion of Decency for the current week has approved all 12 of the new films reviewed and classified, six for general patronage and six for adults. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage — "Blitzkrieg," "Driftin' Kid," "Gunman from Bodie," "One Foot in Heaven," "Outlaws of the Desert," "Secrets of the Wasteland." Class A-2, Unobjectionable for Adults—"The Feminine Touch," "The Maltese Falcon," "Mercy Island," "Mr. Celebrity," "Sailors on Leave," "Texas."

Chicago Oriental to Start Shows Oct. 24

CHICAGO, Oct. 13.—The Oriental here will resume a policy of stage shows and films Oct. 24. The decision to use the combination policy was given incentive by the dropping of stage shows by the State-Lake for the current run of "Sergeant York." The Oriental will increase its scale from 24 cents and 40 cents to 35 cents and 50 cents on weekends.

Plan to Reorganize Ohio Censor Board

COLUMBUS, Oct. 13.—Roy Reichelderfer, supervisor of film censorship since 1938, has resigned, effective Oct. 15, and there will be a general reorganization of the Ohio censor board, it is learned. Reichelderfer's successor has not been named.

It is understood that Susan Warfield, film censor, will be retained, and that two or more inspectors will be appointed for work throughout the State.

Set Milwaukee Rules On Coin Machine Fee

MILWAUKEE, Oct. 13.—An agreement has been reached on tentative provisions of the proposed ordinance to license coin machines here, including the city's 23 coin film machines. Coin film machine licenses would cost distributors $20 per machine, plus $50 for the distributor's first 49 machines and $50 for each additional 50 machines together with a $2 premises permit. It is planned to have the ordinance in operation by Jan. 1.

Legal Notice of
20TH CENTURY-FOX
TRADE SHOWING
published for the benefit of exhibitors generally
NEW YORK, N. Y.
Monday, Oct. 20 at 2:30 P. M.
"HOW GREEN WAS MY VALLEY"
at 20th Century-Fox Exchange
345 W. 44th St., New York, N. Y.

CIO to Open Driv For Office Worker

The opening of a campaign by t CIO to organize office and professio workers in home offices here will marked Friday at 8 P.M. when Le Merrill, president of the United Of & Professional Workers of Ameri CIO, formally will present a char to the Screen Office & Professi Employes Guild, Local 109, at an meeting to be held at the Frate Clubhouse.

The SOPEG consists of emplo who were formerly members of Loew's-M-G-M, Columbia, and R office employes' guilds and the Scr Readers Guild. The Screen Publici Guild has voted to conduct a refer dum on affiliation with the new lo and several other guilds have it un advisement. Joseph Curran, CIO vi president, is scheduled to speak an number of film industry and un representatives have been invited be present to witness the presentati

Providence Stock Theatre Planne

PROVIDENCE, Oct. 13.—A new st theatre to be known as Americ Drama, Inc., will open at the Pl house here on or about Nov. 3 un the joint auspices of Associated Th tres and James H. Doyle. Associa in recent years has operated the Pl house for infrequent road show screen attractions. Doyle used to connected with the old Albee St Company.

Doyle and Abe Spitz, president Associated, are in New York, gaging players and booking pl When the stock company opens, Pr dence will have more stage enterta ment than in many years, and downtown houses will be in ope tion, an unusual circumstance here.

To Test Blue Law In Asheboro, N.

ASHEBORO, N. C., Oct. 13.—T city's "blue law," which bans showing of Sunday films, will tested in Randolph Superior Court, is learned.

City Alderman Francis White, w operates two motion picture theat here, said he would appeal a conv tion for violation of the law, addi that he had shown pictures on Sabbath "because of requests from large number of patrons."

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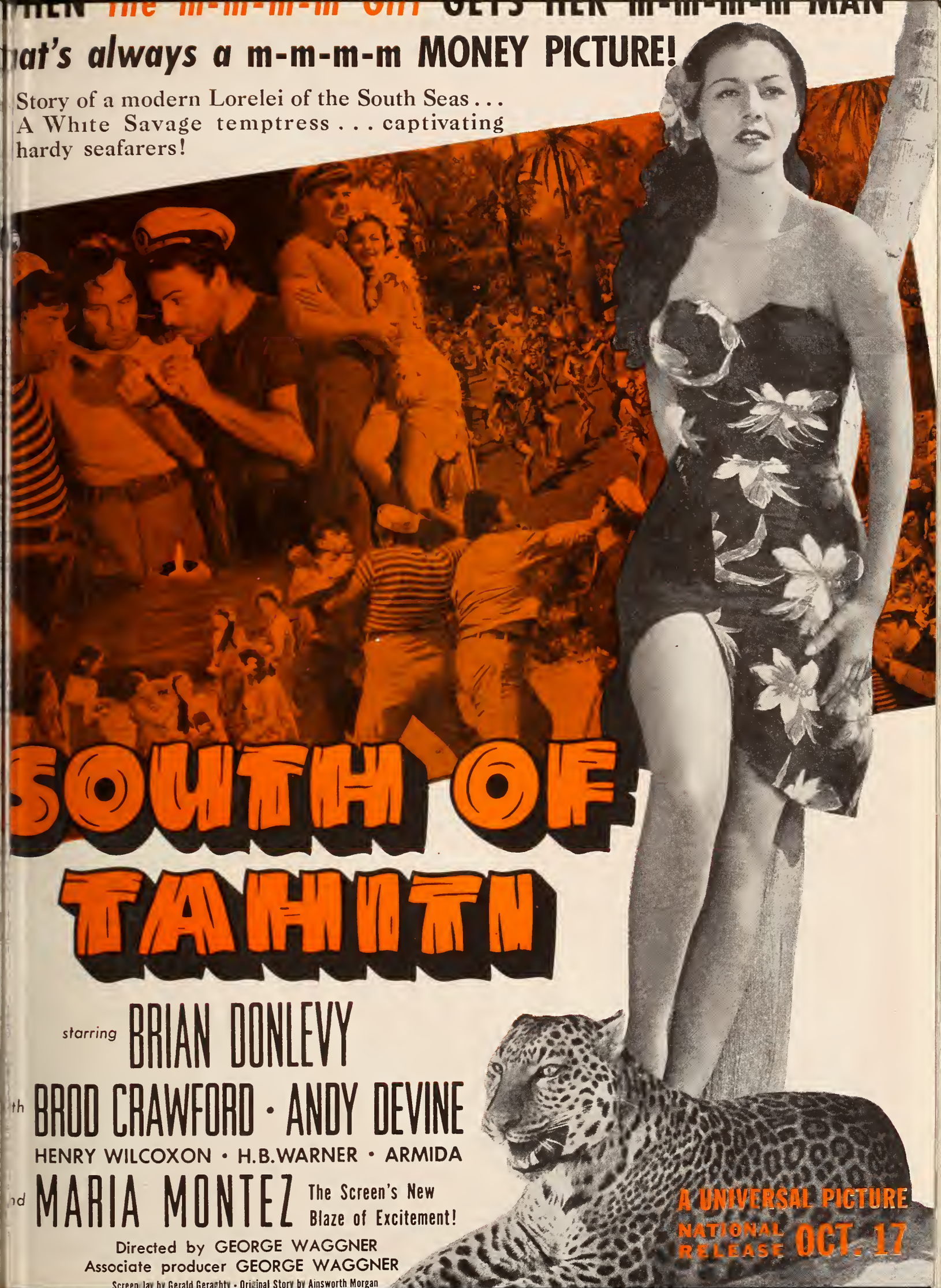
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...HEN the m-m-m-m girl GETS HER m-m-m-m MAN

...at's always a m-m-m-m MONEY PICTURE!

Story of a modern Lorelei of the South Seas...
A White Savage temptress...captivating
hardy seafarers!



SOUTH OF TAHITI

starring BRIAN DONLEVY

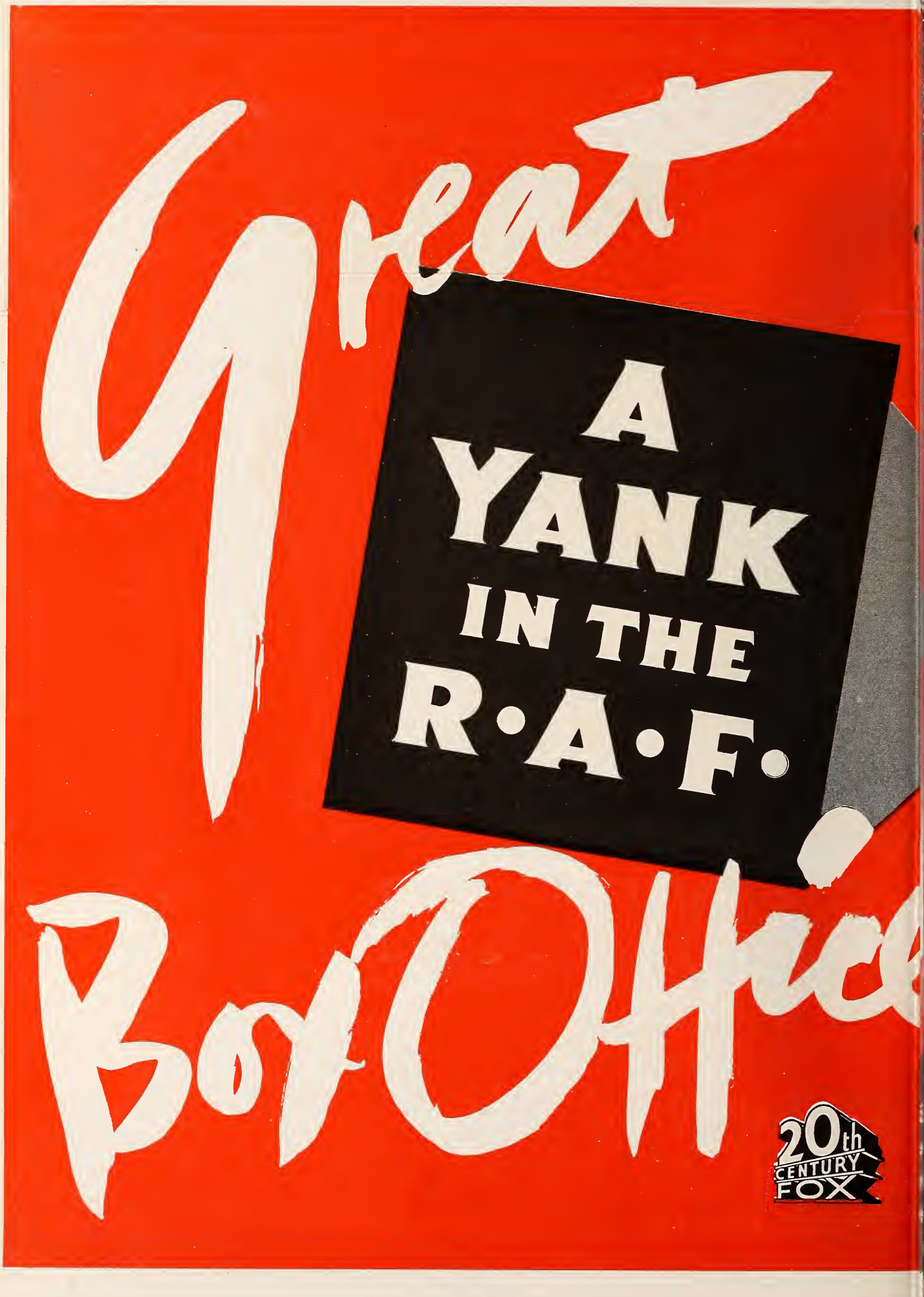
...th BROD CRAWFORD • ANDY DEVINE

HENRY WILCOXON • H.B.WARNER • ARMIDA

...nd MARIA MONTEZ The Screen's New Blaze of Excitement!

Directed by GEORGE WAGGNER
Associate producer GEORGE WAGGNER
Screen lay by Gerald Geraghty • Original Story by Ainsworth Morgan

A UNIVERSAL PICTURE
NATIONAL RELEASE OCT. 17


Great
A YANK IN THE R·A·F·
Box Office
20th CENTURY FOX

3rd WEEK AT NEW YORK'S ROXY!
3rd WEEK IN LOS ANGELES!
3rd WEEK IN TORONTO!
2nd WEEK IN PHILADELPHIA!
2nd WEEK IN BALTIMORE!
2nd WEEK IN CINCINNATI!
2nd WEEK IN KANSAS CITY!
2nd WEEK IN DALLAS!
2nd WEEK IN SAN FRANCISCO!
2nd WEEK IN SALT LAKE CITY!
2nd WEEK IN MEMPHIS!
2nd WEEK IN MILWAUKEE!
2nd WEEK IN BOSTON!
2nd WEEK IN BUFFALO!

nd while "A Yank in the R.A.F." makes holdover history in every key city... Week-end in Havana" begins its first engagement at the Denver Theatre, enver, by breaking every opening day record of a decade! Another pectacular showmanship smash from the great smash-makers of 20th!

Holiday Good for B'way Bonus After Strong Weekend

(*Continued from page* 1)

day through Sunday and ends a two-week run tomorrow night. "All That Money Can Buy" is slated to follow on Thursday.

"The Maltese Falcon" and Jan Savitt's orchestra, now in a second week at the Strand, brought an estimated $20,000 Friday through Sunday and bows out Thursday night to make way for "Sergeant York."

'Yank' Continues Strong

"A Yank in the R. A. F." with a stage show is maintaining a strong pace at the Roxy. Now in its fourth week, the show grossed an estimated $35,000 Friday through Sunday.

"Dr. Jekyll and Mr. Hyde" in its ninth week at the Astor drew an estimated $7,000. Warners' "Target for Tonight" goes into the Globe Friday, replacing the current "Law of the Tropics," which grossed an estimated $1,600 Saturday and Sunday. "Burma Convoy" finished a week at the Rialto Sunday night with an estimated $5,200 and was succeeded yesterday by "Flying Cadets."

'Sergeant York' Is Good in Milwaukee

MILWAUKEE, Oct. 13.—"Sergeant York" in its second week at the Warner was good for $8,800. Runner-up was "A Yank in the R. A. F." and "We Go Fast" with $8,400 at Fox's Wisconsin.

Estimated receipts for the week ending Oct. 9:

"You'll Never Get Rich" (Col.)
"They Dare Not Love" (Col.)
PALACE—(2,400) (33c-44c-55c) 7 days. Gross: $5,600. (Average, $4,000)
"Our Wife" (Col.)
"When Ladies Meet" (M-G-M)
STRAND—(1,400) (44c-65c) 7 days. Gross: $2,400. (Average, $1,500)
"Sergeant York" (W. B.)
WARNER—(2,400) (40c-50c-66c) 7 days, 2nd week. Gross: $8,800. (Average, $4,500)
"A Yank in the R.A.F." (20th-Fox)
"We Go Fast" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $8,400. (Average, $5,500)

'Honky Tonk' Beats Baltimore Hot Spell

BALTIMORE, Oct. 13.—A belated heat wave held down box-office receipts, but "Honky Tonk" took $24,500 at the Century and "A Yank in the R. A. F." drew $12,000 at the New.

Estimated receipts for the week ending Oct. 9:

"Honky Tonk" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $24,500. (Average, $10,000)
"It Started With Eve" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $10,500. (Average, $9,000)
"A Yank in the R.A.F." (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $12,000. (Average, $7,000)
"Navy Blues" (W.B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $12,500. (Average, $12,000)
"You'll Never Get Rich" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. New stage show with Three Sailors; Roy Smeck; Lew Parker, Monroe and Grant; and Novak Sisters. Gross: $12,000. (Average, $14,000)

Critics' Quotes . . .

"HOLD BACK THE DAWN" (Paramount)

Paramount is almost certain to turn a pretty profit with "Hold Back the Dawn." While this Arthur Hornblow production must be classified as a "woman's picture," it is a superior variety of that lucrative screen species.—*Newsweek.*

A drama so vital, so poignant that it must take its place as one of the great pictures of all time. . . . There is little doubt that when voting time comes around for Academy Awards "Hold Back the Dawn" will be high in the list of Oscar possibilities.—*Louella O. Parsons, Los Angeles Examiner.*

An extraordinary blend of warmth and humor, of incisive characterizations and brilliant character bits, of valid drama and romance. Such a host of virtues seems to demand more than a single inspection.—*Virginia Wright, Los Angeles News.*

Sentimentally powerful, it is made more arresting by overtones of mockery and cynicism—echoes of that decadent Europe from which these men and women have fled, yet which hover around them like a bad dream.—*Philip K. Scheuer, Los Angeles Times.*

"ICE-CAPADES" (Republic)

As in other films of its kind, the clever performances of the skaters is the thing. The story is negligible and the comedy lines and gags are pretty feeble in their attempts to be funny. The Ice-Capades Company, however, with its internationally known stars, is a brilliant organization of fancy skaters and their work in the picture is well worth seeing and applauding.—*Kate Cameron, New York News.*

A gay, light, tuneful and frivolous little movie without too much pretention, and thus a swell hour-killer.—*Lee Mortimer, New York Mirror.*

Skating enthusiasts and those who fancy Jerry Colonna's antics are certain to be regaled. . . . I must put down "Ice-Capades" as a minor and rather monotonous entertainment.—*Howard Barnes, New York Herald Tribune.*

"OUR WIFE" (Columbia)

The film as a whole fulfills its object admirably, its object being to provide a light and sprightly bit of entertainment.—*Donald Kirkley, Baltimore Sun.*

There is plenty of comedy in the pinches, and romance in the clinches with a few cliches thrown in to make the customers think they have been here before. But it is amusing, and the premiere audience yesterday found it excuse for ample giggling.—*Robert B. Cochrane, Baltimore Evening Sun.*

"LADY BE GOOD" (M-G-M)

Runs just nine minutes over two hours, and naturally finds it a little difficult to keep up its pace over that much territory. . . . Scenes are lavish and a couple of production numbers are elaborately staged. . . . They've used some good tunes for the score.—*Robert B. Cochrane, Baltimore Evening Sun.*

A passably entertaining offering, with some grand performers in it.—*Norman Clark, Baltimore News-Post.*

Has some excellent songs, a bright performance by Ann Sothern, and other assets of some value, but the flimsy story drags on interminably long after it has ceased to interest the spectator.—*Donald Kirkley, Baltimore Sun.*

"BELLE STARR" (20th Century-Fox)

Splendidly produced and convincingly acted, it is an engrossing addition to Filmland's Americana.—*Richard L. Coe, Washington Post.*

Played by Gene Tierney, she's every man's dream, every woman's desperation, every heart's desire. Sen. Nye will not like her.—*Pat Pretlow, Washington Daily News.*

Technicolor western with chases in their proper sequence and Gene Tierney offering a rather diluted version of Scarlett O'Hara.—*Henry T. Murdock, Philadelphia Ledger.*

Pretty Technicolor picture enhances the fictional quality and Gene Tierney is a story-book heroine if ever there was one.—*Elsie Finn, Philadelphia Record.*

Sensibly enough, on the score of entertainment, 20th Century-Fox has chosen to treat Belle in the legendary manner.—*Mildred Marti, Philadelphia Inquirer.*

The film's in color, rich and gay. Gene Tierney's sweet as a bouquet, and maids will come from near and far to see Randolph Scott play Sam Starr . . . a movie full of action which should give fans satisfaction.—*Chicago Tribune.*

Belle Starr of the film would not disgrace the Southern belle Lillian Gish played in "The Birth of a Nation." This is no exaggeration—Gene is as sweet, as wholesome, as charming, as cute.—*C. J. Bulliet, Chicago Daily News.*

Fanciful as it is, "Belle Starr" does manage a surprisingly fresh variation of the usual horse-opera melodramatics. The blood-and-thunder content is normal, the Technicolor photography excellent, and the cast capable enough.—*Newsweek.*

"MAJOR BARBARA" (Pascal-United Artists)

There are some brilliant passages in the new Shaw film. It was staged with a lavish hand, it has the benefit of an all-star company. . . . But the story is involved and confusing, and the spectator must struggle through a labyrinth of theological and metaphysical arguments.—*Donald Kirkley, Baltimore Sun.*

Has neither the appeal nor the winning humor of "Pygmalion." The new film is a wordy debate attacking the problem of organized charity. . . . There is much that is witty, much that is provocative in the welter of words that pours from the screen.—*Mildred Martin, Philadelphia Inquirer.*

Showmanship Flashes . . .

Free 'Shooting Gallery' 'Billy the Kid' Stunt

McADOO, Pa., Oct. 13.—At little cost William Elliott, manager of the Palace here, set up a stunt to feature his exploitation on "Billy the Kid." Using a one-sheet, two 10-cent guns and a few old boards Elliott set up a free shooting gallery in front of the house with young and old alike invited to try their aim on a "Billy the Kid" bullseye target. Sharpshooters who scored bullseyes received passes to the show.

Contest on Welles Used In Promotion for 'Kane'

Denver, Oct. 13.—The Orpheum here tied in with the Denver Monitor in a contest on "What Do You Know About Orson Welles," as promotion on "Citizen Kane." The house also distributed 15,000 numbered cards, with those holding corresponding numbers posted in the lobby awarded guest tickets.

School Aviation Annex Cooperates on 'Parachute'

Teachers at the Haaren High School's aviation annex in New York cooperated with Montague Salmon, manager of the Beacon Theatre, during the run of "Parachute Battalion," by arranging an elaborate display at the school. A parachute jumper addressed an assembly of students during the engagement.

Elaborate Campaign Used To Plug 'Honky Tonk'

ST. LOUIS, Oct. 13.—An extensive exploitation campaign was arranged by Rex Williams, manager, and Wally Heim of Loew's here for "Honky Tonk." The feature race at nearby Fairmont Race Track was named the "Honky Tonk," and Williams presented a blanket of roses for the winning horse. Night clubs and drug stores also cooperated in extended use of throwaways of various kinds.

Nurse and Bed Used For Horror Dual Bill

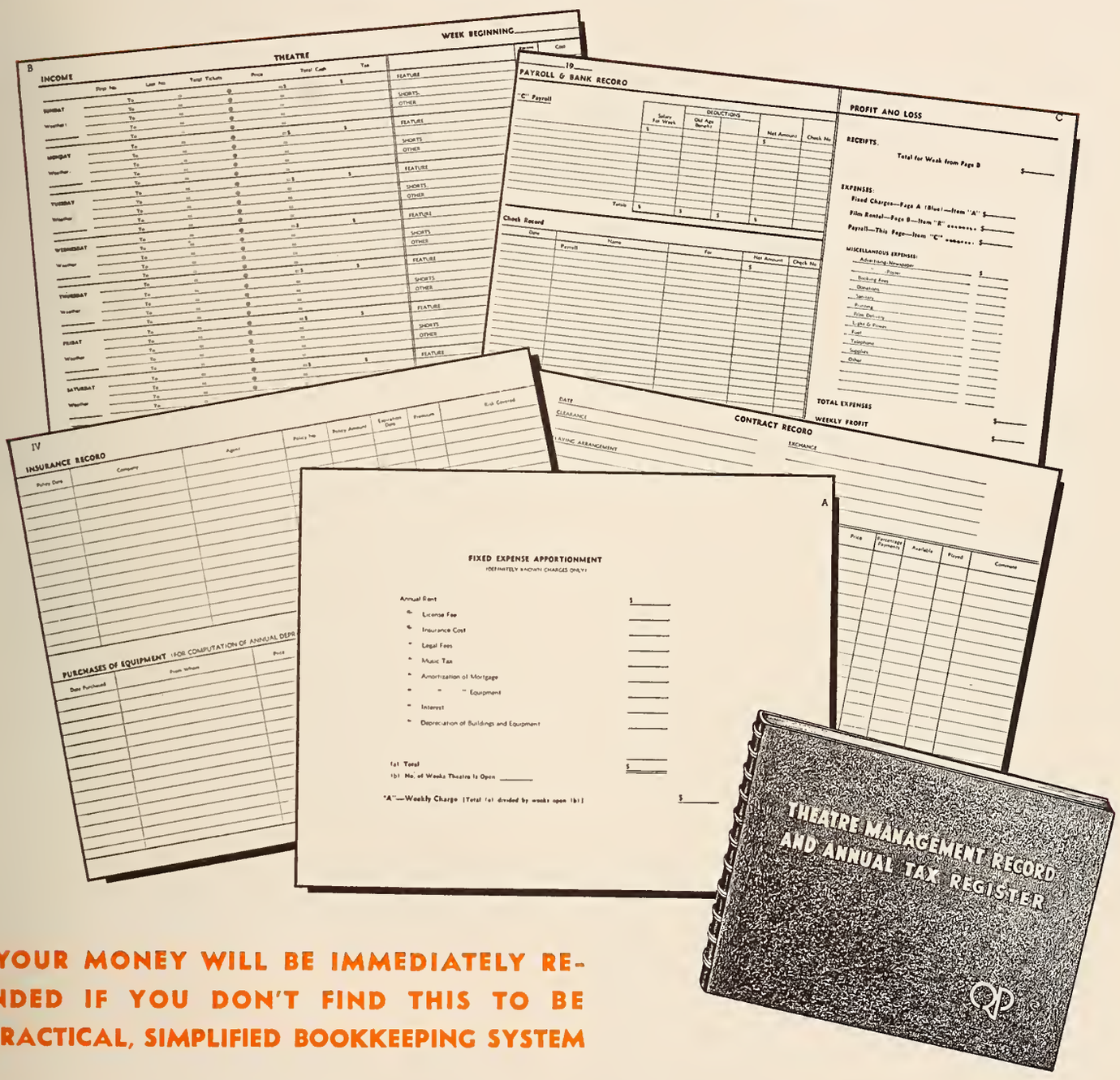
McAdoo, Pa., Oct. 13.—A bed and nurse were planted in front of the house by Manager William Elliott of the Palace Theatre in connection with his twin horror show featuring two mystery pictures. The nurse handed out "faint checks" permitting patrons to return to the theatres should they faint during the show. All marquee lights were out at night with the entire front flooded by lights covered with red gelatine.

Sports Girl Contest Is Employed on 'Serenade'

BALTIMORE, Oct. 13.—A "Typical Sports Girl" contest, tied-in with a daily newspaper, was included in the campaign which Morris Mechanic, owner of the New Theatre, used on "Sun Valley Serenade." An evening daily carried stories and pictures and the New Theatre, in reciprocation, carried the newspaper's promotion on the screen, along with announcements of the contest.

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Exclusive Run Is Ruled Out Under Decree

(*Continued from page* 1)

Section 6 of the decree which prohibits consenting distributors from refusing to license a theatre for some run of its pictures on terms not calculated to defeat the purposes of the section, "unless the granting of a run on any terms to such exhibitor will have the effect of reducing the distributor's total film revenue in the competitive area" involved.

Construes Decree

"The only question involved in this appeal is whether Section 17 permits the defendant to maintain an exclusive run policy in its own theatre in the competitive area which includes Wilmington and New Castle," the appeals board held. "A proper construction of Section 17 does not permit the exclusive run policy claimed by the defendant. The right of each distributor defendant to contract with its own theatres for the exhibition of its own pictures is not limited, impaired or restricted; but there Section 17 stops. There is nothing in that section limiting the right of independent exhibitors to obtain pictures pursuant to the provisions of Section 6."

"If the contention of the defendant should be upheld," the appeals board decision observed, "it might nullify to a large extent one of the main purposes of the decree. To enable independent exhibitors to obtain pictures for exhibition in their theatres is a basic object of the decree."

If each of the five consenting distributors had the right to grant its theatre an exclusive license in every competitive district, the board held, "the result might well be disastrous to many independent exhibitors who would be able to obtain few if any pictures. In such event many independent exhibitors might well be put out of business. The decree does not contemplate any such result.

Distributor Protected

"Section 6 gives each distributor ample protection. If a distributor can show that the granting of a run on any terms to an exhibitor will have the effect of reducing the distributor's total film revenue in the competitive area in which the exhibitor's theatre is located then the distributor may refuse a license. If the contrary is true and the distributor's total film revenue is not reduced by granting an independent exhibitor a run, then the distributor cannot possibly be injured," the board held.

Exhibitor Appeals St. Louis Decision

ST. LOUIS, Oct. 13. — Louis M. Sosna, Mexico, Mo., exhibitor, has appealed the decision of Fred Armstrong, arbitrator, in the exhibitor's some run complaint against Loew's. It is the first local case on which an appeal has been taken.

John J. Nangle, attorney, has been named arbitrator in the some run complaint of Mrs. Mildred Karch, exhibitor of Rolla, Mo., against all five consenting companies.

Theatre Changes

Lease Mainstreet, K. C.

KANSAS CITY, Oct. 13.—The Mainstreet Theatre property here, has been leased for 15 years by the Mainstreet Theatre, Inc. The house is to be remodeled and reopened shortly.

Re-Equip Sacramento House

SACRAMENTO, Cal., Oct. 13.—New equipment installed in the Blumenfeld Circuit's Times Theatre includes an entrance door controlled by an electric eye, opening automatically as patrons leave the ticket window and move toward it.

Shift Chicago Assistants

CHICAGO, Oct. 13.—Theodore Dariotis, former assistant manager of the Roosevelt Theatre, is now assistant manager of the State-Lake, succeeding Earl Treulich, resigned. Lawrence Whittaker, chief of service at the Roosevelt, has replaced Dariotis at that house.

Buys Pennsylvania House

BERWICK, Pa., Oct. 13.—William E. Schmidt, owner of two theatres here, has purchased the People's Theatre in nearby Shickshinny. His brother, Robert Schmidt, will manage the house after it has been remodeled and renamed the Center Theatre.

Start Charleston House

CHARLESTON, S. C., Oct. 13.—Construction of a new theatre here, one of two planned by the Theatres Realty Co., owners of the Pastime Amusement Co. Theatres, has begun.

Plan Columbus Drive-In

COLUMBUS, O., Oct. 13.—A new 1,200-car drive-in theatre will be erected on a 20-acre suburban tract here at an estimated cost of $50,000 by the National Drive-In Theatre Co., of Cleveland, which operates a number of regular and drive-in theatres. This will be their third in Ohio.

See Priority Ruling Hitting New Stations

WASHINGTON, Oct. 13.—Although pointing out that the effect of orders issued last week by the Supply Priorities and Allocations Board halting all non-defense construction had not yet been evaluated in terms of radio by the FCC, Chairman James L. Fly today declared he "would not advise anyone to attempt to go into the broadcasting industry at this time."

No decision has yet been reached regarding the treatment of new station applications hereafter submitted, Fly said, but it is very unlikely that any new stations will be authorized except in localities now without primary service. Even in such instances, he added, it is yet to be worked out how materials can be provided.

The FCC is giving the matter constant attention, in cooperation with SPAB officials and the Office of Production Management, Fly disclosed. Regardless of the method found, he said, it is "bound to impose a definite impediment in building of new stations."

Production of radio receivers in 1941 may run 10 to 15 per cent ahead of 1940, a record year when approximately 12,000,000 sets were manufactured, but output is currently about 20 to 25 per cent behind consumer demand, the *Wall Street Journal* estimated yesterday. Manufacturers have been able to meet current demands by large inventories built up previously, a reduction in the number of models and substitute materials developed, it was pointed out.

Standardize Terms In Sound Equipment

HOLLYWOOD, Oct. 13.—Members of the Research Council committee on sound equipment nomenclature met today to consider the standard nomenclature for sound equipment now in preparation. The committee is preparing a dictionary of terms describing sound equipment in order to standardize discussion among studios. Thomas T. Moulton, Goldwyn sound director, is committee chairman.

Locals Submit Pact Terms to Members

(*Continued from page* 1)

committee as soon as membership views on the counter proposals have been obtained.

Meanwhile, negotiations continued yesterday at the office of Pat Casey, producers' labor representative, with representatives of the studio projectionists, electricians, cameramen, sound men, gaffers and wardrobe workers' locals. These locals, it is reported, have instructed their delegates to continue with the negotiations until agreements are reached.

Up to yesterday, no agreements had been set with any of the nine IATSE studio locals. These locals are continuing their negotiations without the aid of the International.

Shirley Temple to Star in Air Series

Shirley Temple yesterday was signed to appear in a series of four weekly broadcasts on Fridays, Dec. 5 through Dec. 26, 10-10:30 P. M. over CBS. Although Miss Temple has appeared on the radio before, the new contract will be the first time she will appear in a series.

Richard Marvin, radio director of William Esty Co., obtained her services for Elgin National Watch Co., the sponsor. She will sing and act in a number of Christmas plays. The four programs will fill the gap caused by the four-week layoff of Louella Parsons' "Hollywood Premiere" for Lifebuoy.

Loew, Para. Decide On Minnesota Soon

(*Continued from page* 1)

to withdraw from the state, servicing Minnesota accounts from elsewhere. The latter company has had under consideration for some time a plan for consolidation of several of its exchanges, a phase of which contemplated the closing of the Minneapolis branch regardless of the outcome of the Minnesota anti-block-of-five law.

Officials of RKO and 20th Century-Fox said they have reached no decision.

Call Reaction Favorable to New FCC Rul

(*Continued from page* 1)

several times and under the latest r ing go into effect Nov. 15. N Trammell, NBC president, in sta that NBC planned to take the issu court said, "We rely upon Chairm Fly's statement that he will stay operations of these regulations pe ing the final outcome of the court p ceedings." William S. Paley, C president, stated that his netw would seek a court injunction.

Assails 'Political Pressure'

"If anybody wants to litigate rules there never has been any obj tion to that," Fly continued. "Th certainly is, and always will be, jection to the main form which activities of the networks have ta in terms of political pressures; t is one thing we are going to sta out in this industry."

Fly also expressed the opinion t nothing further will be done with White resolution under which Senate Interstate Commerce subco mittee held extensive hearings on network situation last Spring.

Four Principal Points

The modifications issued by FCC covered four main points:

1. The order requiring NBC to vest itself of the Blue network v indefinitely suspended and will not reinstated except with six mont notice to NBC to dispose of property.

2. Networks may sign two-y affiliation contracts with stations, stead of one-year.

3. Stations will receive two-y licenses from the FCC instead of o year.

4. Network options on station ti may not be exclusive, and a stat may give options on or sell the sa time to other networks, and amount of time which a station n grant to a network under option limited.

Commissioners Norman S. C and T. A. M. Craven dissented, they did last May when the origi rules were promulgated.

C. J. Durr Nominate To FCC Membersh

WASHINGTON, Oct. 13.—Clifford Durr of Alabama, since August g eral counsel of the Defense Pl Corp., today was nominated by Pr dent Roosevelt to be a member of FCC, succeeding Frederick I. Thor son, whose term expired June 30 1

Durr, a native of Montgome Ala., is 42, a graduate of Alaba University and a Rhodes scholar Oxford, England. He joined the construction Finance Corp., of wh he was made assistant general cou in 1937.

UA Appoints Krieger

CINCINNATI, Oct. 13. — Paul Krieger, formerly Universal bra manager here, has been appoin United Artists salesman in Columb succeeding James Hendel, rece promoted to branch manager in Cle land.

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chenck Says oney Paid to eep IA Peace

ew's Head Testifies He Feared for Company

Were you afraid of violence to r person?" Martin Conboy, at- ney for George E. Browne, ed Nicholas M. Schenck, presi- t of Loew's, as the trial of wne and William Bioff was re- ed in Federal Court here yes- lay.

I didn't say that," Schenck re- nded. "I was afraid of the conse- nces that would occur to our busi- , if the demands were not met."

he questioning came during the rse of the cross-examination of enck who had previously testified he had waited until 1941 before losing to the U. S. Attorney the

(Continued on page 4)

cquire Option on Washington Circuit

EATTLE, Oct. 14. — Frederick rcy's Inland Theatres Co. circuit houses in Walla Walla, Ellens- g, Toppenish, Kennewick, Pasco and nyside has been acquired under a -month operating option by a group Midwest operators headed by S. J. egory and P. J. Lee.

During this option, expiring in Feb- ry, 1942, Frederick Mercy, Jr., will as general manager of the houses, h headquarters in Walla Walla. e Mercy houses in Yakima, not in- ded in the deal, will continue oper- n under the personal supervision the elder Mercy.

32.8 of Set Owners Heard World Series

An average of 32.8 per cent of all set holders listened to World Series broadcasts over Mutual, according to Cooperative Analysis of Broadcasting surveys. This figure compares favorably with the 1935 series when a rating of 35 per cent was obtained with all networks carrying the program. The last "nickel series," between the Yankees and Giants in 1937, drew 25.3. The 1938 figure was 33.2; 1939, 21.3, and 1940, 25.2.

Erpi To Be Division Of Western Electric; Stevenson in Charge

Electrical Research Products, Inc., will be merged with the parent Western Electric Co. about Nov. 1 and its domestic activities will be carried on as the Electrical Research Products division of Western Electric, the latter company announced yesterday.

T. Kennedy Stevenson, heretofore Erpi president, will become vice-president of Western Electric. He will be in charge of the Erpi division and will have direction of the general accounting, treasurer's and secretary's departments of the parent company. Stevenson was elected a director of Western Electric yesterday and will be president of Western Electric Export Corp., a new company to which ownership of Erpi's foreign subsidiaries will be transferred about Oct. 31.

The company's statement asserted that no change will result in the character or method of conducting Erpi's business and that the changes in corporate setup merely are a continuation of the policy of bringing Erpi opera-

(Continued on page 4)

UA Will Serve Minn. Houses from Outside

MINNEAPOLIS, Oct. 14.—United Artists will service Minnesota accounts from either its Milwaukee, Omaha or Denver branches after the closing of the company's local exchange on Oct. 25, it was stated here today.

Two weeks notice of the closing has been given to all exchange employes, about 20 in all an including Ralph S. Cramblet, manager. Cramblet said he

(Continued on page 4)

Raw Stock Duty Cut In Argentine Treaty

Washington, Oct. 14.—The State Department tonight made public the new reciprocal trade agreement with Argentina, under which that country agrees to bind the present duty on motion picture positives, to reduce the duty on raw stock by one-third immediately, and to reduce the duty on negatives by one-third whenever receipts from imports exceed 270,000,000 pesos in any calendar year.

The agreement provides also that U. S. products shall not be discriminated against by duties, fees or other imposts or regulations not applied to the products of all countries.

6 More IA Locals To Get Pact Terms For 10% Increase

Business representatives of the final six IATSE studio locals engaged in negotiations with producers' representatives here concluded their discussions last night and left for the Coast to submit the producers' counter proposals to the locals' membership.

Pat Casey, producers' labor representative, stated following yesterday's session that no agreements have been closed with any of the nine IA studio locals. He pointed out that failure of the membership of any of the locals to accept the counter proposals would

(Continued on page 6)

See Selection of U. A. President Again Delayed

United Artists Corp. is still minus a president. Up to last night, none had been selected and the likelihood now appears to be that an immediate choice cannot be made, as Alexander Korda is about to return to Hollywood where production duties are demanding his time and attention. And Charlie Chaplin is on the Coast right now.

It also has been reported that Laudy Lawrence, newly named representative of David O. Selznick Productions, Inc., will soon set out on a study of the company's operations, including the foreign end, and that it is

(Continued on page 6)

Dismiss Memphis Run Action Against Loew's

The some run complaint of the Petit Jean Theatre, Memphis, against Loew's was dismissed at the Memphis arbitration board yesterday following hearings, the American Arbitration Association here was informed. Costs were assessed against the plaintiff.

Also at the Memphis board, a new some run complaint was filed by the Cotton Boll Theatre, Lepento, Ark., against Paramount, RKO, 20th Century-Fox and Vitagraph. The Strand, Lepento, was named as an interested

(Continued on page 6)

Report Britain To Ease Funds Due U.S. Firms

Trade Scouts Wall Street Rumors on Currency

Wall Street reports heard in the trade yesterday point to the possibility that Great Britain may release certain of the blocked funds of the motion picture companies, thus permitting these firms a greater percentage of currency withdrawals for the coming year than has hitherto been allowed.

These reports place the amount likely to be authorized for remittance at a figure equivalent to 50 per cent of the aggregate annual British revenues of the eight major companies.

This does not mean, however, that a flat 50 per cent of next year's rentals will be authorized but, rather, that a lesser percentage of next year's revenue may be designated for withdrawal and, additionally, distributors'

(Continued on page 4)

High Court to Hear Argument on Ascap

WASHINGTON, Oct. 14.—The U. S. Supreme Court yesterday agreed to hear arguments in Ascap's appeal from a Federal statutory court decision in the music society's action attacking the constitutionality of the State of Washington's anti-Ascap law.

The high court noted probable jurisdiction in the case but postponed further consideration of the question until after a hearing on the merits. The case probably will not be reached by the court for several months, at which time Ascap will have to show that the Washington case differs materially from the Florida anti-Ascap case. The high court last Spring ruled that the Florida law is constitutional.

H. T. Long Manager Of Odeon in Canada

TORONTO, Oct. 14.—H. T. Long, general manager of Associated Theatres, Ltd., he has been named general manager of Odeon Theatres of Canada, Ltd., following the resignation of O. R. Hanson. The latter is understood to hold a block of stock in Empire Universal, Associated Theatres, Sterling Films and Sovereign Films,

(Continued on page 6)

Coast Flashes

Hollywood, Oct. 14

REPUBLIC will hold its second quarterly Western sales meeting tomorrow and Thursday at the studio. James R. Grainger, president, will arrive from Dallas to conduct the meeting with M. J. Siegel, production head, and Herbert J. Yates, board chairman. Present will be J. T. Sheffield, Northwest franchise holder, and staffs from Salt Lake City, Denver, Portland, San Francisco and Los Angeles.

•

The Pacific Coast Conference of Independent Theatre Owners today announced it will delay its contemplated action on its resolution calling for a Senate investigation of film industry monopoly "until such time as such procedure may in no way be confused with or considered part of the present Clark subcommittee investigation."

•

The industry will make a film for showing in theatres in connection with the Los Angeles Community Chest campaign. Tentatively titled "Dr. Kildare's Baby," the film will be made through the cooperation of the Producers' Association, Screen Actors Guild and Technicolor Corp.

•

Bob Hope today filed an injunction suit in Superior Court against Jack Douglas, writer, seeking to prevent him from working for "Red" Skelton or anyone else but Hope. Hope declared that Douglas is under exclusive contract to him.

Personal Mention

LOU JACKSON, head of Anglo-American Pictures, London, will leave for Toronto tomorrow, returning here early next week.

•

LEON NETTER, on a trip to Miami, Atlanta and Charlotte, is expected back in New York early next week.

•

A. H. KAUFMAN, manager of the Fountain Theatre in Terre Haute, Ind., is at Mayo Clinic, Rochester, Minn.

•

HARRY FEINSTEIN, chief booker for Warner Theatres, Pittsburgh, and SYLVIA FIERST are engaged.

•

AL ROSECAN, owner of the Princess Theatre, St. Louis, is recovering from an appendicitis operation.

•

JOHN G. PAINE and E. C. MILLS of Ascap will return from Chicago today.

NORMAN LEWIS, of the R.M.L. Amusement Co., operating independent houses in Philadelphia, is ill at the Hahnemann Hospital.

•

LOU SCHAEFER, Paramount manager in New Haven, has been appointed chairman of the local theatre committee for Fire Prevention Week.

•

GEORGE B. PROKOPIC, manager of the Feeley Theatre, Hazleton, Pa., and MARY S. CASTRINA are engaged.

•

ABE GOLDSMITH, manager of Warners' Waverly, Philadelphia, has returned to his post after a long illness.

•

AL SCHUMAN, operator of the Black Rock Theatre, Bridgeport, Conn., goes into the hospital for a tonsil operation next week.

•

MAX ALEXANDER is in town.

Gould Is Toronto Trade Board Head

TORONTO, Oct. 14.—Theodore Gould, manager of the Toronto branch of Regal Films, Canadian M-G-M distributor, has been elected president of the Ontario Film Board of Trade for the next 12 months, with Joseph Plottel, manager of the Warner Toronto office as vice-president and E. H. Wells as secretary. The new credit committee comprises Harry Kuhn of United Artists, Mark Plottel of RKO and Harry Bailey, 20th Century-Fox.

'Liberty' Proceeds To Welfare Groups

Contributions totaling $15,000 have been authorized for Catholic, Jewish and Protestant war emergency welfare work out of proceeds from the distribution of "Land of Liberty," the MPPDA executive committee announced yesterday.

The donations, of $5,000 each, will be paid to the Chaplains Aid Ass'n for the Military Ordinariate of the Catholic Church; the Jewish Welfare Board for War Emergency Welfare Work and the General Commission on Army and Navy Chaplains of the Federal Council of Churches of Christ in America.

W.B. Plans No Scale Rise, Says Bernhard

CHICAGO, Oct. 14.—Joseph Bernhard, Warner Theatres head, said today at a regional meeting of the circuit's managers that although operating costs are expected to increase, Warner Theatres have no intention of increasing admissions. Prizes to managers will be eliminated in the future. Instead a performance plaque will be awarded for outstanding accomplishments.

Buckley to Detroit On Theatre Property

Harry D. Buckley, United Artists vice-president, left for Detroit last night to examine a theatre property in which the company is interested. United Artists officials declined to identify the theatre, stating that negotiations are in only an elementary stage and there is no likelihood of a deal being consummated immediately.

Whitney Back from South America Tour

John Hay Whitney, chairman of the Motion Picture Division of the Committee on Inter-American Relations, returned here last night by plane from Miami, following the completion of a lengthy tour of South America in furtherance of the work of his committee.

Defense Boom Aids Grosses in Seattle

Seattle, Oct. 14.—Theatres here are experiencing a big box-office increase on week-ends, as a direct result of the major boom in defense industries in this area. The Hamrick-Evergreen Music Hall Theatre, as an example, which has been dark for several seasons, has been reopened for weekend programs only.

U. S. Prosecutor in Schine Case Hu

WASHINGTON, Oct. 14.—Herb Borkland, a special assistant to t U. S. Attorney General, assigned motion picture anti-trust litigati suffered a broken collar bone in automobile accident here yesterd which took the life of one wom passenger in the car in which he w riding, and injured another.

Borkland had been slated to try t Government's pending anti-trust s against the Schine Circuit and C lumbia, United Artists and Unive sal in Federal court at Buff shortly after the first of the ye Indications are that he will be placed, since his injuries will preve him from participating in preparati for the trial during the next mon or two.

Para. Sets Program For Coast Ad Me

Paramount announced yesterday th the three-day Coast meeting of adve tising, publicity and exploitation m will start Thursday morning at t Ambassador Hotel, Hollywood, wi discussions of campaigns for "Birth the Blues" and "Skylark." It will followed that evening with screenin of "Bahama Passage" and "Sullivan Travels." Neil Agnew, sales head, w speak Friday and Y. Frank Freema vice-president in charge of studio o erations, will preside at an afterno meeting. On Saturday, the conventi will consider a campaign for "Loui iana Purchase," following a screenin of the film.

First Coast Club Meetin

HOLLYWOOD, Oct. 14.—The Soutl ern California tent of the Variet Club held its first luncheon meetin here yesterday with more than 1 present.



5 COOL, COMFORTABLE WAYS TO GO TO

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THE PLAINSMAN	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:10 pm 1:20 am 7:44 am
THE SOUTHERNER	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	11:15 pm 8:24 am 3:12 pm
THE SUN COUNTRY SPECIAL	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	6:45 am 4:41 pm 12:45 am

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HOLD OVER

HONKY-TONK



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Screen Play by Marguerite Roberts, John Sanford. Directed by Jack Conway. Produced by Pandro S. Berman.

Third week at Capitol as we go to press! Held over everywhere!
It's doing over 200% of normal business nationwide.

HONKY-TONK

(Get every dime with extended time!)

Schenck Says Money Paid to Keep IA Peace

(*Continued from page 1*)

alleged demands for payments made by the IATSE officials.

David Bernstein, treasurer of Loew's, followed Schenck on the stand and corroborated the latter's testimony about the alleged extortion payments.

The court denied a motion for a mistrial made by Conboy after Schenck testified on redirect examination that he had made other payments to the defendants besides those previously described. Schenck's testimony was stricken out after he stated that these additional payments had not been made by him personally. Judge John C. Knox asked the jury to disregard the testimony.

Asked to Get Cash

Bernstein said that Schenck requested him in 1936 to obtain $50,000 in cash with which to pay Browne and Bioff, as the alleged price for IATSE peace in the industry. The witness related that he got this money from his personal account in the National City Bank and turned it over to Schenck. The incident was repeated in 1937, he added.

In response to questioning by Boris Kostelanetz, Correa's assistant, Bernstein testified that he obtained repayment of the sum through the device of increasing expense vouchers. He explained that in a number of instances he requested executives of Loew's to add sums to their expense vouchers. A number of the vouchers were introduced in evidence.

On redirect examination Schenck repeated the story of how he paid Browne $100,000 in 1935 to settle a dispute between RKO and Loew's on one hand and operators Local 306 in New York. The final arrangement with Browne was that Loew's would pay $100,000 and RKO $50,000 for the IATSE president's intercession. Loew's share was finally boosted over $150,000 in order that Mort Singer, Chicago theatre man and alleged intermediary in the deal, could offset added income taxes, he testified. Schenck said Singer received a check for the full amount and turned over $100,000 to Browne.

Scale Not Involved

Schenck denied that Browne and Bioff's demands had anything to do with the union demand for increased scale and said that neither Browne nor Bioff at any time referred to an existing dispute between the IATSE and the company. The council for the defendants in their cross-examination of Schenck sought to create an inference that he volunteered information to Correa only after his brother, Joseph M. Schenck, had been convicted of tax evasion. The witness denied the inference, stating that at no time did his conversations with the U. S. Attorney relate to his brother's conviction or a further indictment for perjury still pending.

Conboy resorted to stenographic minutes of the 1936 basic pact meeting in an attempt to show that Schenck may not have attended that meeting held on April 18, although the minutes were not admitted to evidence. Schenck disputed all such references, contending that he had attended every meeting held. He also refuted a line of cross-examination which attempted to show that he had been friendly with Browne subsequent to the extortion demands.

Bernstein will continue on the stand today for direct examination. The Government, it is said, will call either Leopold Friedman or Charles C. Moskowitz following Bernstein's testimony.

NEWARK, Oct. 14.—Local 244, IATSE, here today was ordered by Vice Chancellor John O. Bigelow to show cause Nov. 4 why a receiver for the union should not be appointed. The order also required the union to show cause why Louis Kaufman, business agent under Federal indictment to extort more than $1,000,000 from motion picture companies, and other officers should not be enjoined from exercising their duties. Six members of the union brought the suit.

Exhibitor Assails Policy Of Catering to Columnists

EDITOR, MOTION PICTURE DAILY:

After reading your articles on Fidler's stand against our industry at the recent propaganda investigation, I just couldn't help but get the following matter off my chest.

Naturally, he was biting the hands that were feeding him, and a mighty nice feed at that. In a way I'm glad that he had the opportunity to expose his wrong and uncalled-for attitude, and now the studios know once and for all on what side of the fence he stands, and in the future to be more careful not to get too intimate with other columnists.

Decries Pampering

I have had lots of experience in all branches of show business; exploitation, publicity, stage production, exhibition, etc., and looking at it from a broad side, I never could understand why it is necessary for our industry to spend thousands of dollars annually, wining and dining newspaper, radio and fan magazine correspondents, building them into high salaried positions, placing them in a spot where they can turn right around and "double cross" us any time they want to by "knocking" pictures.

It's been proven time and again, if a picture is good, the first nighters, through a favorable word-of-mouth campaign aided by exhibitors' selling efforts, will stimulate box-office grosses; resulting in capacity business and extended playing time, from the first-run theatre down to the last run. And on the other hand, you know even better than I, that if a picture is bad, all the columnists of America combined, using honeyed phrases and sugary methods, raving about that picture, will not bring revenue at the box-office, nor will they sway the average Mr. Public to shout: "That picture was good because Mr. John said so in his column." So why should we obligate ourselves to anybody?

If a picture is good we surely don't need columnists to repeat what we ourselves already know. Just like any other industry, we can purchase our own advertising and use any copy we want to sell the picture to the public. If the picture is bad, we can make an effort through the same method to get the most we can out of it. If it doesn't click, we drop it and concentrate on the next picture.

Our industry is one of the largest in America, comparable to the steel, automobile and other industries, and with millions at stake, do you think it's wise to obligate ourselves to "outsiders" with valuable inside information at their disposal; and if misused, it results in heavy losses to all of us, producers and exhibitors alike.

If all the money spent to entertain gossip writers, just to obtain a few thousand dollars of free space, were appropriated to merchandise our pictures throughout the country, through direct purchase of advertising in newspapers or radio we would have 100 per cent of our own publicity releases, thereby upholding the dignity of our industry. Losses in revenue do not affect executives but thousands of employes as well.

Trade Papers First

The procedure of publicity releases would be to give them to our own trade papers, who we know are interested in the success of the industry. They pass the information on to the exhibitors, who in turn give it to newspapers or radio locally through the medium of paid advertising for the purpose of attracting people to theatres.

The gossip writers didn't start this business. It was the pioneering efforts of many executives still active today, through their creative and merchandising ability, who built our industry to the present position. Let's use that same pioneering spirit by uniting the friendly cooperation of producer, distributor and exhibitor, for the sole purpose of furnishing entertainment to a free people; and by all means, for our own security, let's do it ourselves.

ED HARRIS, Manager
Glendale Theatre,
Glendale, Cal.

Erpi to Be Division of Western Electric

(*Continued from page 1*)

tions into the closest possible relationship with the parent company, a policy inaugurated in 1937.

D. C. Collins will continue in the new division of Western Electric as Eastern manager, C. W. Smith as Western manager, T. E. Shea as chief engineer, F. B. Foster, Jr., as comptroller, and P. L. Palmerton as sales manager. E. S. Gregg will be vice-president and general foreign manager of the new export company.

Report Britain To Ease Funds Due U.S. Firms

(*Continued from page 1*)

currency already blocked in Londo may be released in an amount suff cient to bring the total remittances fo the year to 50 per cent of their ea ings.

Comment from company officials, i regard to these Wall Street repor was that they knew of no definit agreement of any kind having bee reached.

It is said that negotiations fo arger currency withdrawals by th picture companies from England an release of at least part of the com panies' blocked currency have bee going on for many months betwee England and the United States bu that there has been no definite agree ment yet. The U. S. State Depar ment, it is said, is in full charge o the negotiations for the companies.

WASHINGTON, Oct. 14.—State De partment officials said tonight tha negotiations are still continuing wit the British government on the treat ment of American funds now frozen i England, including those from filt distribution in that country, but re fused to comment on reports that a agreement had practically been reache which would increase the percentag the companies would be permitted t withdraw.

They said that the negotiations wer designed to ease the restrictions no imposed, and that film money was on of the important phases of the con versations which are being carried o in both Washington and London.

UA Will Serve Minn. Houses from Outsid

(*Continued from page 1*)

was to receive further instructions thi week.

Although the move was made ostens ibly because the company considers i cannot do business under the Minneso to anti-block-of-five law, it wa known that United Artists had con sidered closing the Minneaoplis ex change in a move to consolidate sev eral of its less important branches However, the company's salesmen, op erating from a base outside the state can consummate sales within Minneso sota, it was stated, since film ship ments then will be in interstate com merce and will not be subject to th state law.

Charles Hoxie, Sound Film Inventor, Die

SCHENECTADY, Oct. 14.—Charles A. Hoxie, 74, inventor in the fields o sound films and radio communication died at his home in Alplaus, near here yesterday. He is generally credited with having contributed to the devel opment of sound on film. He was employed as a research engineer by General Electric Co. for 20 years until his retirement in 1932.

'Valley' Opens Oct. 28

"How Green Was My Valley," 20th Century-Fox film, will open at the Rivoli on Broadway on Oct. 28, instead of Oct. 23, as first scheduled.


DRESSED TO Fill
THOSE EMPTY
SEATS!
Every single item in the Standard and Specialty Accessory lines put out by the Prize Baby has a place in your theatre campaign. Every single item will help sell seats.
You can't use them all on every picture . . . but you can select from the complete list those items which fit your locality and your problem best.
Dress your theatre and your advertising campaign so that every possible seat will be sold.
That's the way to make money. Cover every angle and play for the percentages.
It's simple as that when you use National Screen Standard Accessories . . . Specialty Accessories and Trailers.
FILL MORE SEATS
with NATIONAL Screen SERVICE

See Choice of UA President Again Delayed

(Continued from page 1)

the intention of the stockholders that Lawrence shall play a larger role in the affairs of United Artists management as that situation will demand.

Lawrence is former European representative of M-G-M and considered among the topnotchers in the trade.

There have been two candidates mostly under consideration, but since a unanimous vote of stockholders is necessary, it is said, to elect a president, a choice has not been made. It is reported that under the terms of the company's agreement with David O. Selznick a unanimous agreement upon the choice of president is absolutely conditioned.

One of the two candidates who was considered was vetoed by one of the stockholders and the other candidate's terms were considered by the stockholders as too rigid to grant.

Senate Film Probe Attacked by Editor

SAN FRANCISCO, Oct. 14.—The Senate sub-committee probe of the film industry was rapped as "Nazi in manner, and in the approved Fascist pattern" by Grove Patterson, editor of the Toledo *Blade* and former president of American Newspaper Editors Association, addressing the Commonwealth Club here. Patterson said it was a case of the party in power persecuting a specific group.



THE CONTINENTAL

Lv. 5:10 pm. Thru Mainliner sleeper to Los Angeles.



No change of planes.

Fly the cool, scenic Main Line Airway.



Arrive Los Angeles

8:30 am. Four additional daylight and sleeper flights.

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Reviews

"The Chocolate Soldier"

(M-G-M)

DRAWING upon Ferenc Molnar's great comedy, "The Guardsman," for its plot, upon Oscar Straus' immortal operetta, "The Chocolate Soldier," for most of its music and lyrics, upon the Metropolitan Opera Company for its brilliant young star, Rise Stevens, and upon M-G-M's own roster of marquee talent for Nelson Eddy, this production of Victor Saville inevitably holds a great deal of entertainment for almost any kind of audience.

Ernst Matray has created and staged charming ballets. Music and lyrics are by Gus Kahn and Bronislau Kaper. Nigel Bruce, Florence Bates, Dorothy Gilmore, Nydia Westman, Max Barwyn and Charles Judels round out the cast.

In this tuneful vehicle, Miss Stevens has many opportunities to sing. Hers is a rich, colorful voice and one which should have audiences clamoring for more. She is attractive as well as pleasing to the ear, making the team of Eddy and Stevens rich in box-office potentialities.

The plot of "The Guardsman" makes the introduction of musical items easy. Eddy and Miss Stevens are stars of a musical comedy. Married to her, he became suspicious of her affections for other men and undertakes the greatest acting role of his career—that of a Russian guardsman who attempts to woo Miss Stevens. Unlike the first treatment of that story for the screen in 1931, the plot here is altered to have Miss Stevens penetrate the disguise as soon as Eddy starts his deception. Thereby, much of the suspense is lost and slow movements result, but the occasional tedious interludes are forgotten when the pair starts singing again. Bruce, as the critic-friend of the couple, turns in a superb performance. The plot, however treated, is one which has an intrinsic humor and many boisterously funny scenes result. Although there is nothing objectionable in its treatment for adult audiences, the story, obviously, is not for children.

There are several lavish productions of dances and songs but most of the singing takes place in off-stage scenes. Roy Del Ruth directed.

Running time, 102 minutes. "A."* EDWARD GREIF

*"A" denotes adult classification.

"Unholy Partners"

(M-G-M)

EDWARD G. ROBINSON, playing a crusading editor, and Edward Arnold, a gambler and racketeer, are the "Unholy Partners" in a New York tabloid newspaper. A fast-moving and interesting motion picture is built around the conflicts resulting from their opposed motives.

The quality of the acting, plus competent direction by Mervyn LeRoy and adequate story material make this film much better than many others which have used a newspaper background. Samuel Marx was the producer.

Returning from World War I Robinson seeks backing for a tabloid newspaper but has no success until he wins $150,000 from Arnold and the two become partners. The gambler does not attempt to interfere with the newspaper until its crusading activities affect his interests. Finally the editor is given the alternative of turning over his share of the paper or allowing a cub reporter, played by William T. Orr, to be killed. But, in defense Robinson kills the gambler and has the boy set free. Then he takes off in a plane on a fatal attempt to fly the ocean, leaving the paper in control of his secretary, Laraine Day, whom he was about to marry, and the favorite reporter.

In addition to the fine acting by Robinson and Arnold, Miss Day does very well as the faithful secretary. Marsha Hunt plays the other girl whom the reporter loves. She sings one song, "After You're Gone." The cast also includes Don Beddoe, Walter Kingsford, Charles Dingle and others.

Running time, 94 minutes. "G."* M. Q. JR.

*"G" denotes general classification.

H. T. Long Manager Of Odeon in Canada

(Continued from page 1)

other companies from which he resigned.

Although reported to be forming a new film exchange in Canada, Hanson, in partnership with Gordon D. Fairley of Toronto, has opened the Palace at St. Catherines, Ont.

Odeon has named James Kadurka manager of the new Odeon at Sarnia, Ont. The last of the Odeon houses is expected to be that now under construction at Kingston, Ont.

New Television Film

A series of 14 animated cartoon films, running one minute each, will be used by Botany Worsted Mills for weather forecasts over WNBT, NBC television station. Each film forecasts a different kind of weather. Douglas Leigh produced.

New Bob Hope Film Title

HOLLYWOOD, Oct. 14.—"You're Dangerous" is the new title for the forthcoming Bob Hope-Madeleine Carroll film formerly known as "My Favorite Blonde," Paramount announced today.

Quoth He

***A** UP dispatch from London quotes George Bernard Shaw in a letter to the London "Times" to the effect that he approves modernization of his plays by film producers if they observe the principle that "genius alone has the right to tamper with genius."*

6 More IA Locals To Get Pact Term

(Continued from page 1)

involve reopening of the negotiatio with such locals.

The final IA units to wind up the negotiations here were the studio pr jectionists, electricians, cameram sound men, gaffers and wardro workers. Makeup artists, property m and grips ended their negotiatio earlier and left for the Coast.

The principal phase of the produce counter proposals was a 10 per ce increase for the nine locals and va ous adjustments of working conditio The producers rejected all demands the locals involving jurisdiction claims over workers in other unions the grounds that such claims should settled by the unions themselves.

Studio labor representatives also l for the Coast yesterday, among the Charles Boren, Paramount; Sidn Rogell, RKO; Fred Myers, 20th Ce tury-Fox; Carroll Saxe, Warner Dave Garber, Universal, and Fred P ton, assistant to Casey. The latt is remaining here.

Dismiss Memphis Ru Action Against Loew

(Continued from page 1)

party. The complaint charged th runs offered by the four distributo were on terms calculated to defeat t purpose of the some run section the decree.

The 15th case to go to the arbitr tion appeals board was filed yesterd by Andora Amusement Co., Plainfiel N. J. The appellant won a nine-d reduction of clearance on Paramou RKO, 20th Century-Fox and Warne product for its Liberty Theatre relation to the Strand, Paramount a Oxford, Plainfield, in an award ma Sept. 23 by James A. O'Gorma Jr., arbitrator. However, Andora h asked that the prevailing 30 da clearance of the three theatres ov the Liberty be reduced to 14 da after single feature bookings a seven days after double features.

ST. LOUIS, Oct. 14.—Hearing the some run complaint of Mrs. M dred Karch, Rolla, Mo., against t five consenting companies, has be set for Oct. 21 here.

New Process Aids Television Image

Research for greater contrast in tel vision images has resulted in a ne chemical process to reduce extraneo reflections from glass, RCA report yesterday. Exposure of hydrofluo acid vapor to glass reduces the refle tion and, in the case of lenses, increas their light transmitting speed.



SAILORS ON LEAVE

WILLIAM LUNDIGAN
SHIRLEY ROSS

CHICK CHANDLER • RUTH DONNELLY
MAE CLARKE • CLIFF NAZARRO
TOM KENNEDY • MARY AINSLEE
BILL SHIRLEY • JANE KEAN

DIRECTED BY ALBERT S. ROGELL

SCREEN PLAY BY
ART ARTHUR &
MALCOLM STUART BOYLAN

ORIGINAL STORY BY HERBERT DALMAS

Buy U. S. Defense Bonds

A Republic PICTURE

MORE PRINTS THAN WE HAVE EVER USED BEFORE have been ordered on "Sundown" so that you can positively be one of the hundreds of showmen to play it Day and Date on October 31st at the peak of its great $100,000. national ad campaign!



The Action Picture that has Everything

WALTER WANGER'S
Great Adventur*omance* of Today!

SUNDOWN

starring **GENE TIERNEY**

BRUCE CABOT · GEORGE SANDERS · HARRY CAREY · JOSEPH CALLEIA
Reginald Gardiner · Carl Esmond · Marc Lawrence · SIR CEDRIC HARDWICKE

A HENRY HATHAWAY Production

From the Saturday Evening Post story "Sundown" and screenplay by Barre Lyndon
Directed by HENRY HATHAWAY

RELEASED THRU UNITED ARTISTS

COAST-TO-COAST BROADCAST!

Producers, famous stars, scores of celebrities will pay tribute to a great picture, SUNDOWN, from the lobby of the Four Star Theatre, Los Angeles, Thursday evening, October 16th, from 8:30 to 9 o'clock, Pacific Time. Over WOR, New York, 11:30 to 12 midnight, Eastern Standard Time. *Listen in to your Mutual Broadcasting System station!*

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 50. NO. 76 NEW YORK, U. S. A., THURSDAY, OCTOBER 16, 1941 TEN CENTS

anger Leaves .A. to Form is Own Unit

A. Gets 100% Control Wanger Productions

alter Wanger, after having e 17 pictures for United Art- since 1937, which are said to e grossed aggregate , 000 , 000 erday sev- l his con- ions with company. nger ar- d in the yesterday came to a ing of the s with U. at the same . The pos- lity of his ving the pany, however, has been brew- for some time. His contract U. A. had more than four rs to run. Wanger plans to n a new producing company. leaving, Wanger turns over his



Walter Wanger

(Continued on page 7)

ncel Advertising In Dealers' Strike

ancellation of newspaper advertis- was reported yesterday owing to non-delivery of newspapers in the ke of the Newsdealers Federal or Union against eight New York ies. The newspapers have, there- , decided that if the dispute is not led without delay they will dis- ute the papers through newsboys. oth sides met yesterday with Ar- S. Meyer of the State Mediation rd but reached no agreement. wspapers can be bought at rela- ly few newsstands.

ttawa Blackout To Affect Theatres

TTAWA, Oct. 15.—A considerable p in theatre attendance on Satur- evening, Oct. 26, is expected in trade, as a result of the change in e of the city's second blackout from 30-11 P.M. to 10-10:30 P.M. The ckout will cover an area of 40 are miles, and be preceded by a minute "alert" at 9:45 P.M.

RKO Will Not Sell Minn. While Bound By Consent Decree

RKO will not sell in Minnesota as long as the state's anti-block-of-five law is on the statutes and the company is bound by the selling provisions of the Federal consent decree, company officials revealed yesterday.

Whether the company will take an appeal from the state court decision at St. Paul denying the consenting distributors a temporary injunction restraining enforcement of the Minnesota law has not been decided yet and is still under consideration by company counsel, it was said.

Asked whether RKO would petition Federal Judge Henry W. Goddard for an exemption from the consent decree to permit it to sell in Minnesota, Ned E. Depinet, vice-president in charge of distribution, answered with an unqualified "No."

Paramount, Loew's and 20th Century-Fox, the remaining companies affected by the Minnesota law, are scheduled to reach decisions this week.

(Continued on page 8)

Majors Are Sued By N. J. Exhibitor

ATLANTIC CITY, N. J., Oct. 15.—M. E. Blatt, president of Mebco Realty Co., and Oliver A. Unger, president of the Mebco Theatre Co., have filed an anti-trust action in Federal Court here against the eight major companies, Mortimer Lewis, George Weilland, Frank and Flora Gravatt and the Ventnor Realty Co.

The plaintiffs, asking $570,000 damages, charge a conspiracy among the defendants preventing Mebco's Em-

(Continued on page 8)

Navy Not to Censor Any Domestic News

Washington, Oct. 15.—"Absolutely no censorship" of domestic news broadcasts is involved in Navy Department plans for censorship of overseas communications, Secretary Frank Knox said today. Knox, in declaring that plans are well under way, but probably will not be initiated for some time, commended the excellent cooperation of the various services on domestic news. He emphasized the voluntary avoidance by the news services of publicity on certain restricted matters.

U.S. Asks for Wide Relief in Crescent Case

By JOHN SHUMAKER

NASHVILLE, Oct. 15.—The government threw the weight of a 178-page brief, filed today in the Crescent Amusement Co. anti-trust suit, against the Crescent company itself, as four distributor defendants in the suit also filed suggested findings of fact and conclusions of law in Federal District Court here.

Findings were filed by United Artists and Universal Film Exchanges, Inc., as well as by Columbia Pictures Corp. and Universal Pictures Company, Inc., although the latter two distributors were dismissed on motions

(Continued on page 8)

Browne Out as Vice-President Of Federation

Defeated for Reelection At AFL Convention

Seattle, Oct. 15.—George E. Browne, president of the IATSE, was defeated for reelection as an AFL vice-president at the Federation's convention here today by a vote of 37,944 to 421. All votes for Browne came from IATSE delegates, with one exception. The outside vote was from George W. Brayfield, an IATSE member who is a delegate from the Colorado Federation of Labor. The convention had previously voted to reduce the number of vice-presidents from 15 to 13 preliminary to the Browne ouster.

The convention also adopted an anti-racketeering resolution.

Norman Thor Nelson, brother of William Bioff's wife, yesterday testified in Federal Court as a Government witness in the prosecution on extortion charges of Bioff and George E. Browne. Nelson told how he had accepted commission

(Continued on page 7)

Press Hudson Plan In Detroit Today

DETROIT, Oct. 15.—Heads of several local theatre groups will meet here tomorrow to complete arrangements for a statewide campaign to launch Earl Hudson's plan to sell the motion picture institutionally to the public through exhibitor advertising of testimonials of leading citizens.

Hudson, head of United Detroit Theatres, presented his plan at the recent convention here of Michigan Allied. Ray Branch, head of the Allied unit, called the meeting for tomorrow to get the plan under way. Meanwhile Hudson has obtained testimonials telling of the value of films from leading members of the clergy, school heads, city and state officials, newspaper columnists and radio commentators. These testimonials will be displayed in theatre lobbies, will be used in screen trailers and in newspapers and trade publications, it is planned.

Musicians Strike on CBS; Expect NBC Walkout Today

The American Federation of Musicians yesterday called a strike against all non-sponsored programs on CBS and was poised to call a similar strike against NBC this morning. The strike affects all sustaining programs whether originating from remote points or in the studios.

The situation arose out of a local controversy between the union and H. J. Brennan, owner of WJAS, CBS affiliate in Pittsburgh, and KQV, NBC-Blue outlet in the same city. The dispute resulted last Thursday in the removal of all remote pick-ups of bands in hotels, restaurants and similar places from CBS and NBC-Blue and was followed by further action yesterday against studio musicians.

The exact situation was shrouded

(Continued on page 8)

Mayor Addresses Ampa Lunch Today

The function of the film industry in the national defense effort will be outlined today by Mayor F. H. LaGuardia of New York, in his capacity as Director of the Office of Civilian Defense, in an address before the Ampa at the Hotel Edison. The Mayor will be introduced by Louis

(Continued on page 8)

Coast Flashes

Hollywood, Oct. 15

MONOGRAM has paid off in full its $110,000 obligation to Pathe Laboratories, W. Ray Johnston, president, disclosed tonight. Although the due date was in December, the notes were liquidated last week, he said. It was also disclosed the company has signed Tom Keene for a group of four outdoor action pictures for 1941-'42 release. The first will be "Lone Star Law," with Robert Tansey producing and directing.

•

Harry Cohn, Columbia president, left by American Airlines tonight for New York home office conferences. He plans to be East about a week.

•

"Treasure of the Sierra Madre," novel by B. Traven, has been bought by Warners. Spring production is planned for the story, which concerns a search for the lost mines of Mexico.

Willkie Elected to Lehman Corp. Board

Wendell L. Willkie was elected a member of the board of directors of the Lehman Corp. by the stockholders at a meeting in Wilmington, Del., yesterday. Among those elected to the board were John Hertz, Paramount director, and Paul M. Mazur, formerly on the board of RKO, both of whom are partners of the firm of Lehman Brothers.

Charlotte Party Nov. 8

CHARLOTTE, N. C., Oct. 15.—The local Variety Club will hold its first annual charity banquet at the Hotel Charlotte on Nov. 8. Scott Lee is general chairman and Philip Longdon vice-chairman.

Astor to Handle Two

Astor Pictures has taken for distribution two Edward Small productions, "Trans-Atlantic Merry-Go-Round" and "The Melody Lingers On."

Personal Mention

LEONARD GOLDENSON has left on an extended trip to the South and California.

•

H. M. RICHEY will go to Pittsburgh next week.

•

LOU SCHAEFER, Paramount Theatre manager, New Haven, has been appointed chairman of the theatre committee for the Community Chest.

•

ROBERT J. LIBSON, manager of the Times Theatre, Cincinnati, and son of ISAAC LIBSON, RKO Midwest general manager, has been drafted.

•

W. STEWART MCDONALD of Warners is visiting in the Midwest.

WILLIAM K. SAXTON, city manager for Loew's in Baltimore, was among the guests presented to the Duke and Duchess of Windsor at the Baltimore Country Club last Monday.

•

NEIL AGNEW and SAM DEMBOW left last night by United Airlines for the Coast.

•

WILLIAM MORGAN, 20th Century-Fox manager in Trinidad, now visiting here, plans to leave for his post Oct. 24.

•

EDITH FRIEDMAN, secretary to LEE BLUMBERG at Warners, will be married in December to MAURY HELLER of Philadelphia.

Comerford Manager Drive Starting Nov. 1

WILKES-BARRE, Pa., Oct. 15.—Plans for the annual Comerford Theatres managers' drive, starting Nov. 1, will be discussed tomorrow at the Fort Durke Hotel here. Other sectional meetings have been or will be held in Binghamton, N. Y., Scranton, Pa., and Sunbury, Pa., during the week. District Manager John Comerford, Tom Killeen and Samuel Friedman will be in charge of the local meeting, while Tom Carey and Tom Walsh head the Binghamton session; Byron Lynn and Gerard Adams the Scranton talks and Ed Simonis the session at Sunbury.

New Haven Warner Club Elects Officers

NEW HAVEN, Oct. 15.—The local Warner Club has elected C. G. Barrett president for the coming year. Other officers are Russel Clark, vice-president in charge of entertainment; P. Zimmerman, vice-president in charge of welfare and loans; Jeanette Shields, vice-president for membership; Sophie M. Gurian, secretary, and James A. Bracken, treasurer. Angelo Lombardi and Victoria Cusanelli were elected to the board of governors.

Minneapolis Club Expands Charities

MINNEAPOLIS, Oct. 15.—The Twin City Variety Club has added the establishment of a blood bank to its philanthropic projects.

The blood bank will be started at General Hospital and will be used primarily in the treatment of children's diseases. The club also sponsors the Minneapolis Milk Fund, has provided radios for General Hospital wards, and a battery of sun lamps for Lymanhurst Children's Hospital here.

Albany Club Holds Election on Oct. 27

ALBANY, Oct. 15. — The local Variety Club, recently reorganized, will elect permanent officers at a meeting at the Ten Eyck Hotel here on Oct. 27. The new officers will be installed at an inaugural ball for the new tent sometime next month.

Republic Closes Deal

Cooperative Theatres, Detroit, has closed for Republic's 1941-'42 program, it was announced yesterday. James R. Grainger, president of Republic, and Sam Seplowin, Detroit branch manager, worked with C. E. Burmele and other executives of the circuit on the deal, which covers 49 houses.

Montana House to Open

GREAT FALLS, Mont., Oct. 15.—E. E. Harris will open his new 2,000-seat theatre, the Civic Center, here Saturday. Clarence Golder will be manager. The theatre will also be used as a civic auditorium. Harris owns the Park and Montana in Butte.

Launch Fund Drive

HOLLYWOOD, Oct. 15. — Meetings Nov. 3 at all studios will launch the Community Chest drive here in the film industry, with delegations of studio workers, including stars, scheduled to address various groups on visits to agencies supported by the community fund.

Dee Lowrance on WOR

Dee Lowrance of NEA was interviewed yesterday afternoon by Marian Young on the Martha Deane program on WOR.

CORRECTION

Notice of

20TH CENTURY-FOX TRADE SHOWING

for the benefit of exhibitors generally

NEW YORK, N. Y.

Monday, Oct. 27 at 2:30 P. M.

(instead of date originally announced)

"HOW GREEN WAS MY VALLEY"

at 20th Century-Fox Exchange

345 W. 44th St., New York, N. Y.

High Finance

Wilkes-Barre, Pa., Oct. 1.

THE recent addition of a one-cent Federal tax t some admissions left many o the young patrons of loca houses in a financially em barrassed position, unti friendly theatre doormen cam to the rescue, lending pennie as needed. They are quite cer tain their money is good, al though repayment may take a while.

May Settle Briti Manpower Proble

LONDON, Oct. 15.—The problen the calling for military service technical employes engaged in production is expected to be settle the meeting of the industry-Gov ment manpower committee tomor

Following earlier disagreements protests, it is now expected a c promise report will be submitted the Ministry of Labor representa and that it will be accepted. It is pected to provide for the retentio directors, producers and camera engaged in documentary and news production for the Ministry of formation, and will stagger the on other technicians. Those unde would be called at once and the o groups generally.

W. B. Employes V On Own Guild Oct.

Warner home office employes decide the desirability of an i pendent guild in a vote to be ducted Oct. 23 by the National L Relations Board. In the event of proval by a majority, all home o personnel, with the exception of partment heads and the publicity advertising staffs, will become m bers.

Thomas Turkington of the acco ing department is president of guild, which is known as the Wa Brothers Associated Office Empl of Greater New York. Other offi are E. G. Arnold, vice-presid Lawrence Roberts, general secreta J. H. Newman, treasurer; Flore Richmond, recording secretary, Arthur Allisot, sergeant-at-arms.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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TO THE EXHIBITORS OF AMERICA!



The Most Important Message Of The Motion Picture Year Will Be Found On Page 19 Of Tomorrow's Motion Picture Herald Don't Miss It!

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41 New Films Are Shooting On the Coast

HOLLYWOOD, Oct. 15.—Twelve pictures were started and 11 finished this week to make the total before the cameras 41. Twenty-eight are being prepared, and 76 are being edited. M-G-M is the busiest studio, with eight in production.

The tally by studios:

Columbia

Finished: "Honolulu Lu," "Bedtime Story."
In Work: "Blondie Goes to College," "The Lady Is Willing."
Started: "Cadets on Parade," "West of Tombstone."

Goldwyn (RKO)

In Work: "Ball of Fire."

John Hall Productions

Started: "The Captain of Koepenick."

M-G-M

Finished: "H. M. Pulham, Esq.," "Babes on Broadway."
In Work: "We Were Dancing," Untitled Dr. Kildare, "The Vanishing Virginian," "Steel Cavalry," "Woman of the Year," "Miss Achilles' Heel" (formerly "Her Honor").
Started: "Mr. and Mrs. North," "I Married An Angel."

Monogram

Finished: "Bullets and Bullion."
In Work: "Double Trouble."
Started: "I Killed That Man."

Pressburger (U.A.)

Finished: "The Shanghai Gesture."

Paramount

Finished: "Tombstone."
In Work: "The Lady Has Plans," "The Fleet's In."
Started: "Torpedo Boat."

RKO

Finished: "Call Out the Marines."
In Work: "Valley of the Sun," "Joan of Paris," "Sing Your Worries Away."

Republic

In Work: "Lady for a Night," "Tuxedo Junction."
Started: "Missouri Outlaw."

Small (U.A.)

In Work: "Twin Beds."
Started: "Heliotrope Harry."

20th Century-Fox

Finished: "Rise and Shine."
In Work: "The Perfect Snob," "Castle in the Desert," "Remember the Day," "Son of Fury."

Universal

Finished: "Melody Lane."
In Work: "North to the Klondike," "Keep 'Em Flying."
Started: "Dr. Rx," "Fifty Million Nickels."

Warners

Finished: "All Through the Night," "Kings Row."
In Work: "The Man Who Came to Dinner," "Wild Bill Hickok Rides," "You're in the Army Now," "The Male Animal."
Started: "Juke Girl."

To Open RKO Exchange

PHILADELPHIA, Oct. 15.—The new RKO exchange building opened last month will be officially dedicated on Oct. 20. Ceremonies were held up awaiting full completion of the building.

Reviews

"Down Mexico Way"

(*Republic*)

THIS is an achievement by Republic primarily because the Western is worthy of playing time in theatres outside the Western category. The results should be quite gratifying both to patron and exhibitor.

The picture stars Gene Autry, a potent name for many exhibitors, and is enriched with relatively lavish settings and colorful dance and song ensembles with an array of talented performers. The story is modern having to do with swindlers posing as Hollywood producers and attempting to have townspeople invest in their productions. Autry and his friends are first "taken" in Sage City. He, Smiley Burnette and Harold Huber, a former Mexican bandit of the Pancho Villa type, follow the crooks to Mexico, where they finally are exposed and brought to book in a genuinely exciting chase and battle.

Interwoven are a number of songs by Autry and other musical sequences, which add to the entertainment. Others in the cast are Fay McKenzie, Sidney Blackmer, Joe Sawyer, Duncan Renaldo and Paul Fix. Photography is very good. Joseph Santley directed. Harry Grey was associate producer.

Running time, 78 minutes. "G."* EUGENE ARNEEL

"Flying Cadets"

(*Universal*)

THIS is a neat and trim little drama of the skies with attractive cast names and timeliness that should aid in the selling. The players all are capable in their respective roles and under what appears to be good direction, do much to make the film engaging fare both in its up-in-the-clouds melodrama and basic story content.

William Gargan, Edmund Lowe and Frank Albertson are brothers in the film, Lowe as the adventurous World War ace; Gargan, chief mechanic usually on the sidelines, and Albertson, plane designer, all concerned with teaching flying cadets. Peggy Moran, Frankie Thomas, Roy Harris, Charles Williams also are in the cast. Erle C. Kenton directed and Paul Malvern was associate producer.

Running time, 60 minutes. "G."* EUGENE ARNEEL

"Gunman from Bodie"

(*Monogram*)

Hollywood, Oct. 15

PRODUCER Scott Dunlap's second presentation of the Rough Riders —Buck Jones, Tim McCoy and Raymond Hatton—contains a story superior to most of those used for Westerns and winds up, after a slow start, on the plus side of average for its bracket.

There's more riding and less shooting in this than in most plains pictures, and there's a baby in it for the feminine side of theatre patronage. Some singing is also done, by David O'Brien, in better than average manner. Others in the cast are Robert Frazier, Charles King, Lynton Brent, Max Waxman, Christine MacIntyre, Gene Alsace, John Merton, Frank Larue, Jerry Sheldon and many more.

The plot of this number, directed by Spencer Bennett in high key after a dawdling first half, has to do with rustling, water rights, ranch loans, mortgages and some free-handed murdering.

Running time, 62 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.

"Stolen Paradise"

(*Monogram*)

Chicago, Oct. 15

HEAVY handed direction by Louis Gasnier, a trite story and bad acting throughout makes this dull and uninteresting screen fare. It formerly was titled "Adolescence."

Leon Janney, Eleanor Hunt, Esther Muir and others struggle through the story of an 18-year-old youth raised in a Catholic mission who falls in love with his 28-year-old stepsister, runs away to join the RAF, is wounded and returns to the mission to join the church and leave the outside world behind.

George A. Hirliman produced with photography by Jack Greenhalgh and musical score and direction by Nathaniel Shilkret.

Running time, 62 minutes. "A."* F. LANGDON MORGAN

*"A" denotes adult classification.

Joins Republic Staff

INDIANAPOLIS, Oct. 15.—Dan Penrod has joined the Republic branch here, assigned to northern Indiana sales.

With Metro Exchange

NEW HAVEN, Oct. 15. — Henry Woods is the new M-G-M checking supervisor here, succeeding Frank Mullen, resigned.

'York' Good; L. A. Grosses Generally O

LOS ANGELES, Oct. 15.—"Serge York" was the best bet here in third week at the Warner Hollyw and Warner Downtown, taking $ 400 at the former and $16,200 at latter, for a total of $30,600. O grosses were off.

Estimated receipts for the w ending Oct. 8:

"Lady Be Good" (M-G-M)
"We Go Fast" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 d Gross: $11,400. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.(days, 36th week. Gross: $4,600. (Aver $17,000)
"Yank in the R.A.F." (20th-Fox)
"Niagara Falls" (Roach-U. A.)
4 STAR—(900) (44c-55c) 7 days. "Ya 2nd week. Gross: $4,200. (Average, $3
"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75 days. Gross: $7,800. (Average, $6,500)
"Lady Be Good" (MGM)
"We Go Fast" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c- 7 days. Gross: $14,500. (Average, $14
"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c days. Gross: $8,500. (Average, $7,000)
"Hold Back the Dawn" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75 days, 2nd week. Stage: Bob Crosby. Gr $16,500. (Average, $18,000)
"Sergeant York" (W. B.)
WARNER BROS. (HOLLYWO (3,000) (33c-44c-55c-75c) 7 days, 3rd w Gross: $14,400. (Average, $14,000)
"Sergeant York" (W. B.)
WARNER BROS. (DOWNTOWN (3,400) (33c-44c-55c-75c) 7 days, 3rd w Gross: $16,200. (Average, $12,000)

'Yank' Is Buffalo Smash at $16,0

BUFFALO, Oct. 15.—"A Yank in R. A. F." was a hit at the G Lakes with $16,000. "Hold Back Dawn," on a double bill at the Buf Theatre, drew $16,400.

Estimated receipts for the w ending Oct. 11.

"Hold Back the Dawn" (Para.)
"World Premiere" (Para.)
BUFFALO—(3,489) (35c-55c) 7 d Gross: $16,400. (Average, $12,000)
"A Yank in the R.A.F." (20th-Fox)
"The Smiling Ghost" (W.B.)
GREAT LAKES—(3,000) (35c-55c) 7 d Gross: $16,000. (Average, $7,500)
"Lady Be Good" (M-G-M)
"We Go Fast" (20th-Fox)
HIPPODROME—(2,100) (35c-50c) 7 d 2nd week. Gross: $5,000. (Average, $6,
"The Little Foxes" (RKO)
TWENTIETH CENTURY—(3,000) (55c) 7 days, 3rd week. Gross: $6 (Average, $7,500)
"Unfinished Business" (Univ.)
"Moonlight in Hawaii" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 d 2nd week. Gross: $6,100. (Average, $6,

'Geese' and Heidt Get $15,400, Omal

OMAHA, Oct. 15.—The stage-scr combination of "Wild Geese Flyi and Horace Heidt pulled $15,400 the Orpheum at higher prices. T weather was clear and cool.

Estimated receipts for the week e ing Oct. 7-8:

"The Little Foxes" (RKO)
BRANDEIS—(1,200) (30c-44c) 7 days, week. Gross: $3,200. (Average, $4,000
"Hold Back the Dawn" (Para.)
"Dance Hall" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gr $7,100. (Average, $6,000)
"Wild Geese Calling" (20th-Fox)
ORPHEUM—(3,000) (40c-55c) 7 da Stage: Horace Heidt. Gross: $15,400. (erage, $14,500)

Dakota' Show Boston's Lead With $19,000

BOSTON, Oct. 15.—"Badlands of kota" with a stage show including Andrews Sisters, Joe Venuti and hestra and Gloria Gilbert led sses with $19,000.

Estimated receipts for the week end- Oct. 8-10:

adlands of Dakota" (Univ.)
EITH BOSTON—(2,697) (33c-44c-55c- 7 days. Vaudeville, including the An- ws Sisters and Joe Venuti and orchestra. oss: $19,000. (Average, $8,000)
m Valley Serenade" (20th-Fox)
he Gay Falcon" (RKO)
EITH MEMORIAL—(2,907) (33c-44c-) 7 days, 3rd week. Gross: $13,400. erage, $16,000)
Yank in the R.A.F." (20th-Fox)
harlie Chan in Rio" (20th-Fox)
METROPOLITAN—(4,367) (30c-40c-45c-55c) lays. Gross: $15,500. (Average, $15,500)
his Woman Is Mine" (Univ.)
ree and Easy" (M-G-M)
PARAMOUNT—(1,797 (30c-40c-45c-55c) 7 s. Gross: $6,500. (Average, $7,500)
his Woman Is Mine" (Univ.)
ree and Easy" (M-G-M)
FENWAY—(1,320) (30c-40c-45c-55c) 7 s. Gross: $3,900. (Average, $4,500)
loma of the South Seas" (Para.)
ad Men of Missouri" (W. B.)
COLLAY—(2,500) (30c-40c-45c-55c) 7 s, 3rd run. Gross: $3,200. (Average, 00)
onky Tonk" (M-G-M)
armon of Michigan" (Col.)
LOEW'S STATE—(3,000) (30c-35c-45c-) 7 days, 2nd week. Gross: $13,000. verage, $12,000)
onky Tonk" (M-G-M)
armon of Michigan" (Col.)
LOEW'S ORPHEUM—(2,900) (30c-35c-45c-) 7 days, 2nd week. Gross: $18,000. verage, $17,500)

Dawn' in Detroit Gets Big $17,500

DETROIT, Oct. 15.—"Hold Back the wn" and "Henry Aldrich for Pres- nt" grossed $17,500 at the Michi- n, while other theatres reported av- age business.

Estimated receipts for the week end- Oct. 9:

ur Valley Serenade" (20th-Fox)
lying Cadets" (Univ.)
ADAMS—(1,800) (15c-39c-44c-55c) 7 days. erenade" 3rd week. Gross: $5,000. (Av- ge, $5,500)
he Bride Came C.O.D." (W.B.)
lan Hunt" (20th-Fox)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. oss: $6,500. (Average, $7,000)
ur Wife" (Col.)
his Woman Is Mine" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) 7 days. oss: $15,000. (Average, $15,000)
old Back the Dawn" (Para.)
lenry Aldrich for President" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) lays. Gross: $17,500. (Average, $12,000)
itizen Kane" (RKO)
hey Met in Argentina" (RKO)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. oss: $9,400. (Average, $7,000)
When Ladies Meet" (M-G-M)
he Get Away" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-) 7 days. Gross: $11,100. (Average. ,000)

Charter Calif. Company

SAN FRANCISCO, Oct. 15.—Sunny- ount Theatres, Inc., has been incor- rated here with a capital stock of 0,000 by Jesse Feldman, F. E. Can- n, L. S. Hamm, B. E. Kragen and L. Jacobs.

Wins Softball Title

WILKES-BARRE, Pa., Oct. 15.—The merford All-Stars won the Comer- rd Theatres Softball Trophy by nos- g out the Capitol All-Stars, 21 to 20. Kirby Park.

Reviews

"Sundown"

(Wanger-United Artists)

Hollywood, Oct. 15

TAKEN from Barre Lyndon's *Saturday Evening Post* serial of some months ago, "Sundown" comes to the screen as a romantic melodrama-adventure story laid in Africa. The story is of Axis plans to furnish guns to the natives for an uprising against the British colonial outposts; the time, 1941. A well-peopled cast, impressive scenery and effects, and production sheen of high calibre feature the Walter Wanger production, produced and directed by Henry Hathaway.

Gene Tierney as the supposed half-breed trader; Bruce Cabot, George Sanders and Reginald Gardiner as the British colony administrators, Joseph Calleia as the Italian prisoner of war, Sir Cedric Harwicke and Harry Carey head the cast of the picture.

The Lyndon story is changed somewhat in the film version of the piece; it suffers by not being played as straight melodramatic adventure stuff as originally written. It winds up with one of the characters expressing confidence of a complete British victory in the current war.

Action ranges from murder, arms smuggling and hand-to-hand fighting to machine gun and tear gas conflict. Technically, the picture is most impressive, its photography of the highest order, its background painstakingly done.

Running time, 90 minutes. "G."* VANCE KING

"Death at a Broadcast"

(Film Alliance—Astor)

HANDICAPPED by faulty sound and photography, this has little to recommend it. It was made in England by Hugh Perceval, acquired by Film Alliance, and under a recent distribution arrangement will be released by Astor Pictures.

The picture, when originally released in England as "Death at Broadcasting House," apparently had entertainment value, for it has a cleverly developed mystery plot for films of its type. In its present worn condition, though, as seen at a showing at the New York Theatre on Broadway, it appeared to stimulate very little interest.

Ian Hunter and a number of unknown British players are in the cast. Reginald Denham directed.

Running time, 75 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

'York' New Haven Winner at $10,200

NEW HAVEN, Oct. 15.—"Sergeant York" drew $10,200 at the Roger Sherman at higher prices. "Honky Tonk," dualled at the Loew-Poli with "Harmon of Michigan," grossed a good $12,000.

Estimated receipts for the week ending Oct. 9:

"Lady Be Good" (M-G-M)
"Dressed to Kill" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,400. (Average, $2,700)
"Honky Tonk" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $12,000. (Average, $8,000)
"New York Town" (Para.)
"San Antonio Rose" (Univ.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,000. (Average, $4,500)
"Sergeant York" (W. B.)
ROGER SHERMAN—(2,200) (44c-55c) 7 days. Gross: $10,200. (Average, $5,000)

Branch Personnel Is Shifted in Seattle

SEATTLE, Oct. 15.—A number of changes in personnel of Seattle film exchanges were announced this week, among them the following:

Morton Endert has resigned as ad salesman for Warners, to work at the Todd Shipyards. Margaret Baum, secretary to Neal Walton of Columbia, has resigned and will be succeeded by Genevieve Daly. Rex Rathbun, shipper at M-G-M, has resigned to work for Boeing Aircraft, and is being succeeded by William Voss. Muriel Keil has been added to the billing department staff at Paramount.

'Honky Tonk' Takes $14,000, Providence

PROVIDENCE, Oct. 15. — "Honky-Tonk" and "Niagara Falls" in a second week at Loew's State took $14,000. Excellent weather over the week-end sent large crowds to the beaches, hurting business.

Estimated receipts for the week ending Oct. 8-9:

"My Life With Caroline" (RKO)
"The Gay Falcon" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $7,000. (Average, $6,000)
"Honky-Tonk" (M-G-M)
"Niagara Falls" (U. A.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days, 2nd week. Gross: $14,000. (Average, $11,000)
"Belle Starr" (20th-Fox)
"The Bride Wore Crutches" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,800. (Average, $7,000)
"Hold Back the Dawn" (Para.)
"Hurricane Smith" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)
"I'd Sell My Life" (Merrick-Anderson)
METROPOLITAN—(3,045) (30c-39c-55c) 3 days. Stage show with the Three Stooges; Beatrice Kay; Sam Donahue and orchestra; the Three Heat Waves; Virginia Austin. Gross: $7,300. (Average, $5,000)
"They Meet Again" (RKO)
"Gangs of Sonora" (Rep.)
FAY'S — (1,800) (15c-25c-35c) 7 days. Gross: $2,100. (Average, $2,800)
"Navy Blues" (W. B.)
"Bad Men of Missouri" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)
"Dance Hall" (20th-Fox) (3 days)
"Kisses for Breakfast" (W. B.) (3 days)
"Sun Valley Serenade" (20th-Fox) (4 days)
"Repent at Leisure" (RKO) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,500. (Average, $1,700)

ANOTHER REPUBLIC FAN MAGAZINE AD

THRILLS AHEAD with a BIG PICTURE

IMAGINE this dromatic SITUATION — o bewitching BLONDE beauty shipwrecked UPON o primitive TROPICAL isle— WITH two men... BOTH torn with LONGING for HER love! Then IMAGINE these FAVORITE stors os the SHIPWRECKED three — HANDSOME RAY MIDDLETON, GLAMOROUS GLORIA DICKSON, and fascinating OTTO KRUGER. No wonder that "MERCY ISLAND," the FORTHCOMING REPUBLIC picture WHICH brings you THIS thrilling story WITH these three





TOP-RANKING stors, is ALREADY being hailed as ONE of the outstonding FILM dromas OF the yeor! FOR it is a STORY that LITERALLY TEEMS with ACTION; ond ITS romontic CONFLICT is one OF the most EXCITING ever TO be recorded UPON film! So WATCH for "MERCY ISLAND!" It's COMING to your locol theotre SOON... It's



A REPUBLIC PICTURE

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
Sept. 19	Prairie Stranger (O) 2005 (1940-41) Ladies in Retirement (D) (1941-42)	(1941-42 Releases) Lady Be Good (M) 202 *Ann Sothern* *Robert Young*	The Driftin' Kid (O) *Tom Keene* (1940-41)		The Apache Kid (O) 171 *Don Barry* (1941-42)		We Go Fast (D) 208 *Lynn Bari* (1941-42)	International Lady (D) *George Brent* *Ilona Massey* (1941-42)	Sing Another Chorus (M) Kid from Kansas (D) A Girl Must Live (D) (All 1941-42)	Nine Lives Are Not Enough (D) 104 (1941-42)	
Sept. 26	You'll Never Get Rich (M) *Fred Astaire* (1940-41)	Dr. Jekyll and Mr. Hyde (D) 201 *Spencer Tracy* *Lana Turner* Down in San Diego (D) 203 *B. Granville*	Gunman From Bodie (O) *Buck Jones* (1941-42)	Hold Back the Dawn (D) 4103 *Charles Boyer* (1941-42)	Death Valley Outlaws (O) 172 *Don Barry* (1941-42)	Lady Scarface (D) 203 *Judith Anderson* (1941-42)	Last of the Duanes (O) 209 Man at Large (D) 210 (1941-42)	Lydia (D) *Merle Oberon* *Alan Marshal* (1941-42)	It Started With Eve (M) *Deanna Durbin* (1941-42)	Sergeant York (D) 101 *Gary Cooper* (1941-42)	
Oct. 3	Two Latins from Manhattan (M) *Jinx Falkenberg* (1941-42)	Honky Tonk (D) 204 *Clark Gable* *Lana Turner*		Buy Me That Town (D) 4102 *Lloyd Nolan* (1941-42)	Sailors on Leave (C) 109 *Wm. Lundigan* *Shirley Ross* (1941-42)	Father Takes a Wife (C) 204 *Menjou-Swanson* (1941-42)	A Yank in the R.A.F. (D) 211 *Power-Grable* (1941-42)		Mob Town (D) *Dead End Kids* *Tough Guys* (1941-42)	Law of the Tropics (D) 105 *C. Bennett* (1941-42)	
Oct. 10	Texas (O) *Wm. Holden* *Claire Trevor* (1941-42)	Married Bachelor (C) 205 *Robert Young* *Ruth Hussey*	Stolen Paradise (D) Tonto Basin Outlaws (O) (1941-42)		Mercy Island (D) 110 *Ray Middleton* *Gloria Dixon* (1941-42)	Bandit Trail (O) 281 *Tim Holt* (1941-42)	Great Guns (C) 212 Riders of the Purple Sage (1941-42)	New Wine (M) *Ilona Massey* *Alan Curtis* (1941-42)	Never Give a Sucker An Even Break (C) *W. C. Fields* (1941-42)	International Squadron (D) 106 *Ronald Reagan* (1941-42)	Jungle Man 126 (PRC) *Buster Crabbe* (1941-42)
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Smilin' Through (M) 206 *J. MacDonald* *Gene Raymond*	Top Sergeant Mulligan (D) *Nat Pendleton* (1941-42)	Nothing But the Truth (C) 4101 *Bob Hope* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)	Niagara Falls (C) (Streamliner) *Tom Brown* (1941-42)	Burma Convoy (D) South of Tahiti (D) (1941-42)	The Maltese Falcon (D) 107 *H. Bogart* *Mary Astor* (1941-42)	Hard Guy 205 (PRC) *Jack LaRue* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell* *Binnie Barnes* (1941-42)	Feminine Touch (C) 207 *R. Russell* *Don Ameche*	Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Gauchos of Eldorado (O) 162 3 Mesquiteers (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Moon Over Her Shoulder (C) 215 *Lynn Bari*		Flying Cadets (D) *William Gargan* *Edmund Lowe* (1941-42)		Billy the Kid Wanted 257 (PRC) *Buster Crabbe* (1940-41)
Oct. 31	You Belong to Me (C) *B. Stanwyck* *Henry Fonda* (1941-42)		Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray* *Mary Martin* (1941-42)	Public Enemies (D) *Philip Terry* *Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)	Hot Spot (D) 216 *Grable-Landis* *Vic Mature* (1941-42)	Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer* *M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March* *Martha Scott* (1941-42)	Mr. Celebrity 114 (PRC) *Joseph Seary* (1941-42)
Nov. 7	The Stork Pays Off (C) *M. Rosenbloom* *Rochelle Hudson* (1941-42)		Zis Boom Bah (C) *Grace Hayes* (1941-42)	Skylark (C) *C. Colbert* *Ray Milland* (1941-42)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn* *Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers* *Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray* *F. Langford* (1941-42)		Lone Rider Fights Back 168 (PRC) *George Houston* (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)		I Killed That Man (D) *Ricardo Cortez* (1941-42)		Sierra Sue (O) 143 *Gene Autry* *Smiley Burnette* (1941-42)	Suspicion (D) 208 *Cary Grant* *Joan Fontaine* (1941-42)	Swamp Water (D) 218 *Huston-Brennan* *Dana Andrews* (1941-42)	Corsican Brothers (D) Miss Polly (C) (Streamliner) (1941-42)	Paris Calling (D) *Scott-Bergner* (1941-42)		Miracle Kid 213 (PRC) *Vicki Lester* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young* *Conrad Veidt* (1941-42)		Double Trouble (C) *Harry Langdon* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen* *McGee & Molly* (1941-42)			Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)		
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)				Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)		Twin Beds (C) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* *Martha Raye* (1941-42)		
Dec. 5	Sing for Your Supper (C) *J. Falkenburg* *Buddy Rogers* (1941-42)								Don't Get Personal (C) *Hugh Herbert* (1941-42)		Swamp Woman 201 (PRC) *Ann Corio* (1941-42)

rowne Out as ice-President f Federation

(Continued from page 1)

ments from Smith & Aller, Du- nt representatives on the Coast, l turned over to Bioff the en- sum less weekly deductions of 25 for his own salary.

His cross-examination will tart today. His testimony fol- owed a parade of industry wit- nesses including Louis B. May- r, head of M-G-M produc- ion; Nicholas Nayfack, M- G-M studios executive; John Wesley Smith, of Smith & Al- er, and David Bernstein, treas- rer of Loew's, whose cross- examination was completed in he morning.

Nelson related that he had come to lifornia with his wife at Bioff's uest in 1937. He testified that he s told by Bioff that M-G-M was ebted to the union official but that latter, because of his position uld not collect the anticipated cash nself.

Collected Weekly

Bioff said "it was up to me to col- t," the witness said. According Nelson, he was introduced to Smith d collected the commissions week- These commission payments were posited in a savings account in the llywood branch of the Bank of nerica and were turned over in sh to Bioff from time to time, he d. In all, 16 payments totaling 5,820 between July 26, 1937, and n. 14, 1939, were made by Nelson Bioff, the witness stated.

From time to time, Nelson showed brother-in-law the bank book to ve that checks were being depos- d and one one such occasion Browne s present. Nelson testified. Except the weekly salary deductions, the tire amount was turned over, he id. Nelson said he kept a separate ok showing deposits and payments. e book was admitted as evidence er defense counsel's objections.

The trial resumed yesterday with e cross-examination of Bernstein. sked repeatedly by defense counsel out the expense vouchers through ich he had reimbursed himself for e $100,000 cash outlay. Bernstein ated that these vouchers were "for gitimate expenses for the benefit of e company."

Mayer's Testimony

Mayer on the stand told of being lled by Nicholas M. Schenck in 1937 d being asked whether the proposi- n was still open whereby Smith & ller would appoint a sub-agent to ceive 7 per cent commission on all -G-M purchase of DuPont raw ck. Schenck asked that the matter reopened and the sub-agency given a designee of Bioff, Mayer said. ayer said he asked for the reason d was told, "Because Bioff can give plenty of trouble."

On cross-examination, Mayer ex- ained that he accepted these orders. bsequently, Mayer continued, Bioff lled and Nelson was introduced to mith. Mayer said he heard little of e matter except occasional calls from off to say that not enough DuPont raw stock was being purchased, and a further call in 1939 when Bioff asked that Harry Beatty be substituted for Nelson as sub-agent. Mayer said he tried to keep orders for raw stock divided evenly between DuPont and Eastman Kodak, and that commissions from DuPont purchases amounted to about $70,000 annually.

Mayer testified that he knew nothing of Bioff's demands on the industry until just before the indictment in May, 1941.

Nayfack, who followed Mayer, corroborated the latter's story and told how he had followed Mayer's instructions and arranged to substitute Beatty for Nelson in 1939. At that time, Nayfack said, he was told by Bioff that he had had some difficulty with Nelson and didn't want the latter to "know too much of his business."

DuPont Sales Increased

Smith followed Nayfack on the stand. He said that Nelson came to his office once a week to collect his check. Orders came directly from the M-G-M laboratory, he said. Total payments to both Beatty and Nelson amounted to $236,477, he said. DuPont's business with M-G-M increased from $10,000 monthly prior to Nelson's appointment to $100,000 monthly thereafter, he stated. Smith denied that he had proffered the arrangement to M-G-M as a method of granting a rebate. He declared that it was specifically understood that the sub-agent was to be a person not in the employ of M-G-M and that he would have paid anyone who could produce the business.

Nelson will face cross-examination today. Because of other court engagements, Judge John C. Knox said a recess would be taken after today's session until Monday morning.

Heavy Casting Marks Big Studio Production Effort

Hollywood, Oct. 15

ROBERT YOUNG and MARSHA HUNT will be featured in M-G-M's "Joe Smith, American," which RICHARD THORPE will direct. . . . JACK MOFFITT has been given a term writing contract at Warners. . . . GLENDA FARRELL has joined the cast of M-G-M's "Johnny Eager," co-starring ROBERT TAYLOR and LANA TURNER. . . . "I'm No Cowboy" will be the title for the JOE BROWN comedy at Columbia, formerly called "Cowboy Joe." . . . DON HARTMAN and FRANK BUTLER have been set to do the script of Paramount's "Road to Morocco," which will co-star BING CROSBY and BOB HOPE.

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ADOLPHE MENJOU and LYNN OVERMAN, the latter borrowed from Paramount, go into "Roxie Hart," GINGER ROGERS picture at 20th Century-Fox. . . . LAIRD CREGAR, 20th Century-Fox player, goes to Paramount for "This Gun for Hire." . . . LEO CARRILLO will be co-starred with RICHARD DIX in HARRY SHERMAN's "American Empire." . . . LLOYD BACON draws the directorial assignment on Warners' "A Night Before Christmas," EDWARD G. ROBINSON vehicle. . . . GLENDA FARRELL replaces BINNIE BARNES in EDWARD SMALL's "Twin Beds." . . . Miss BARNES goes to M-G-M for "I Married an Angel," with JEANETTE MACDONALD and NELSON EDDY. . . .

• •

Warners has given B. REEVES EASON an extension of his directorial contract. . . . ANN AYARS, young singer, has just been given an M-G-M contract and will be given an extensive buildup. She will appear in the next Dr. Kildare picture. . . . Supporting GRACIE ALLEN in M-G-M's "Mr. and Mrs. North" will be WILLIAM POST, JR., recruited from the stage; ROSE HOBART, PAUL KELLY, VIRGINIA GREY, FELIX BRESSART, LUCIAN LITTLEFIELD and FORTUNIO BONA-NOVA. . . . ARLINE JUDGE's second film on her comeback route will be "The Lady Is Willing" at Columbia. . . . TIM DURANT is working on the screenplay of EDWARD SMALL's "My Official Wife."

• •

John Howard has been given a featured role in "Eadie Was a Lady" at Columbia. . . . Ruth Hussey will be featured with Hedy La Marr and Robert Taylor in "The Gentleman from West Indies," at M-G-M. . . . Prof. Charles N. Lischka of Loyola University, for seven years assistant to Joseph I. Breen at the Production Code Administration, has been made technical advisor for Foundation Films, Inc., which produces biblical films on 16 mm.

• •

DAME MAY WHITTY has been set for "Mrs. Miniver," the next GREER GARSON vehicle at M-G-M. . . . IAN MACDONALD, school teacher and range finder, has been signed by HARRY SHERMAN, whose other replacements for RUSSELL HAYDEN in the Hopalong Cassidy series, BRAD KING and JOSEPH FERARRA, have been conscripted. . . . JIMMY LYDON goes into the ROBERT BENCHLEY vehicle, "Out of the Frying Pan," at Paramount, but still keeps his Henry Aldrich roles. . . . Another draftee is HERBERT ANDERSON, 24-year-old Warner actor.

Starts Welfare Drive

PHILADELPHIA, Oct. 15.—The Philadelphia Showmen's Club has launched a campaign for $5,000 for its Welfare Fund Committee, which was created some months ago to provide financial and other assistance to members of the industry in need. Meyer Adelman is chairman of the committee.

Wanger Leaves U.A. to Form His Own Unit

(Continued from page 1)

equity in his latest picture, "Sundown," to the company but retains story properties owned by Walter Wanger Productions, Inc., in which U. A. owned a 50 per cent interest. With his departure U. A. comes into 100 per cent ownership of this production unit, the first in which that company has ever been directly associated in production to the extent that U. A. was with Wanger. Wanger's original investment in the unit is said to have been $250,000. U. A. had a similar investment, it was said.

Facilities Not Involved

No studio equity or production equipment is involved in the dissolution deal. Wanger sold his interest in the unit, a company announcement stated, for "full value." It was not indicated when payment is to be made.

At the same time, the company announced that it would continue operation of the unit on its own and that it was the firm's intention to change the name of the unit to United Artists Productions, Inc.

"The Eagle Squadron," which Wanger is about to produce, will be an independent effort of Wanger. He leaves for Washington today and then returns to New York, after which he will fly to London, which may be on Saturday, in connection with the production of this film.

No Release Set

Wanger has no new releasing deal set. His affairs are completely his own, it is said.

Since the matter was only brought to a head yesterday, according to report, U. A. has not yet selected a personality who shall head the new production unit.

Wanger's New York offices will continue for the time being as is, it is said, but the likelihood exists that they may be closed on or before Nov. 15, depending upon conditions. Harry Kosiner is in charge of Wanger's offices here.

The cancellation of Wanger's releasing and financing contracts with United Artists was effected as part of the deal.

RKO RADIO PICTURES, Inc.,
TRADE SHOWING
NEW YORK, N. Y.
Thursday, Oct. 23, at 11:00 A.M. and 2:30 P.M.
"WEEK-END FOR THREE"
RKO PROJECTION ROOM
630 NINTH AVE., NEW YORK, N.Y.

U.S. Asks for Wide Relief in Crescent Case

(Continued from page 1)

during the seven weeks' trial which closed early in September.

The Crescent company was expected to file its findings tomorrow, and all defendants will file briefs by Nov. 15. Final arguments in the Crescent trial are set to begin here Dec. 1 before Federal Judge Elmer Davies.

Ask Injunction

Practically the only mention of distributors in the summary of the Government brief and the prayer for relief was "that the defendant distributors be enjoined from licensing pictures for exhibition in any theatre in any town where a defendant exhibitor operates a theatre, except on a local competitive basis."

Universal's 43-page document maintained that exclusivity of run and clearance are arrived at by separate negotiations with each exhibitor and "are as much a part of each particular license agreement as any of the other terms and conditions thereof."

"It is clear from the testimony," the brief continued, "that Universal committed no offenses under the Sherman Anti-trust law and did not contract, combine, or conspire with defendant exhibitors for the purpose of suppressing the competition of any independent exhibitor, with the possible exception of the one isolated instance relating to the theatre of J. D. Henry in Union City, Tenn."

Universal Explains

Universal's filing declared its witnesses' testimony controverted Government testimony as to this instance and "accords more plausibly with the documentary evidence." A long explanation of the Henry incident followed.

The court was asked to conclude by law that a defendant distributor, acting separately and independently, has the right to select its own customers, and to determine whether or not it will license the exhibition of its pictures in the various theatres which may apply, and upon what terms.

United Artists' declaraiton stated that the distributor's 73 and 61-situation deals with Crescent "were in no respect different from the prior United Artists contracts except in an increased number of affiliated corporations and towns covered."

Compulsion Charged

An index heading in the Government brief was entitled, "The Defendant Exhibitors Compelled the Major Distributors to Discriminate Against Competing Independent Theatres by Circuit Buying Power." This section covered 74 pages.

The Government submitted that on the record in the case at least the following specific relief, in addition "to such dissolution and general injunction as to all of the exhibitor and distributor defendants against further violation of the act, is necessary to make individual theatre competition possible against the theatres in the Sudekum circuit" outside of Nashville, Tenn., which was excluded in the pleadings:

What U. S. Asks

1. Invalidation of the existing franchises.

2. Invalidation of the existing agreements not to compete in the future.

3. An injunction which will prevent each of the exhibitor defendants from conditioning the licensing of films in any theatre situation outside of Nashville where independent competition now exists or later occurs upon the licensing of films in any other theatre situation.

4. An injunction which will prevent each of the exhibitor defendants from acquiring a financial interest in additional theatres outside of Nashville, except after an affirmative showing by them that the effect of such acquisition will not be to restrain competition unreasonably.

Musicians Strike on CBS; Expect NBC Walkout Today

(Continued from page 1)

in some doubt at a late hour last night because of conflicting stories from the union and the networks. Union offices stated that musicians were ordered off sustaining programs which originated either in New York or Pittsburgh on both CBS and NBC networks. NBC, however, continued with its sustaining programs, except remote pickups, although the network was preparing for a strike call this morning.

Strike Effective 4 P.M.

The CBS strike became effective at 4 P. M. when the "Columbia Concerts" program had to be cancelled. The network made a brief announcement at that time and before all other scheduled sustaining shows pointing out that there was no dispute between CBS and the AFM but that a local Pittsburgh situation had caused the strike call. The network substituted quartets, vocalists accompanied by organists from out-of-town stations, and similar programs for the cancelled musicals. NBC was making similar plans.

Both networks were under the impression that only sustainers originating in New York or Chicago were to be affected and that they would be free to make arrangements for pickups from other cities but this issue was also clouded by doubt.

A strike was called against NBC-Red about four weeks ago because of station difficulties in New Orleans. After this strike was settled, the network declined to restore the remote pickups and continued with studio presentations. Most of these studio programs, however, were based primarily around the studio bands.

'Good Neighbor' Affected

One of the major programs on NBC which will be affected is the last of the "Good Neighbor" series which was scheduled on the Red at 10:30 tonight. The orchestra left for Washington yesterday to give the concert which will be attended by a large number of ranking Pan-American and U. S. officials. NBC plans to go ahead with the concert even if it is prevented from broadcasting it.

Nine programs were affected by the CBS order yesterday and there will be a total of 65 for the week. On the Red, if the strike is called, 19 programs will be halted, and 37 will be halted on the Blue.

Refiles Clearance Complaint in Albany

The American Theatre, Albany, refiled its clearance complaint against Warners and RKO yesterday in an amended form complying with directions given by the national appeals board.

On Oct. 4, the appeals board refused to consider the case on its merits and, reversing Morton J. Hall, arbitrator, who had granted the American Theatre a clearance reduction, dismissed RKO's appeal from that award on the grounds that the original complaint had not been filed in accordance with decree rules. The amended complaint filed yesterday substitutes St. Lawrence Investors, Inc., owner of the American, for A. P. Papayanakos, an officer of the company who filed the original complaint. The same substitution also is made in the submission papers. As a result, the appeals board now will consider the case on its merits.

Maryland House Files Complaint on Clearance

WASHINGTON, Oct. 15.—The Charles Theatre, La Plata, Md., filed a clearance complaint at the local arbitration board here today against Loew's, seeking the elimination of the clearance granted the Marlboro Theatre, Marlboro, Md., over the Charles.

The complaint also seeks a clarification of past and present sales policies on which Loew's sold the Waldorf Theatre, Waldorf, Md., although the decree does not provide for arbitration of such a demand.

Meanwhile, a hearing was concluded in three hours at the local board today on the clearance complaint of Sam Mellitts, owner of the Dentonia, Denton, Md., in a case involving Loew's and the Reese Theatre, Harrington, Del.

None of the parties involved in the complaint was represented by counsel in accordance with a prior agreement. Mellitts called Phil Babys, an M-G-M salesman, as his only witness; while John S. Allen, Loew's Washington exchange manager, testified for that company, and Reese B. Harrington for the Reese Theatre. Joseph Cantrel, arbitrator, is expected to make his decision in a few days.

Majors Are Sued By N. J. Exhibitor

(Continued from page 1)

press Theatre from getting product. It is contended that Ventnor Realty, which formerly operated the Empress for Blatt, dropped that operation and opened the Embassy nearby and that the new theatre is receiving the run which the plaintiffs claim belongs to the Empress. It is also charged that where the Empress previously played third run in Atlantic City, it now is offered ninth run.

'Yank' Frisco High Grosser With $20,50

SAN FRANCISCO, Oct. 15.—"A Ya in the R. A. F." zoomed to $20,500 the Fox. "Lydia" at the United A ists drew $8,400. The weather c tinued good.

Estimated receipts for the w ending Oct. 7-9:

"Parachute Battalion" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c days. Stage: vaudeville. Gross: $11, (Average, $15,000)

"Lydia" (U. A.)
UNITED ARTISTS—(1,200) (35c-40c- 7 days. Gross: $8,400. (Average, $8,00

"Bad Lands of Dakota" (Univ.)
"Meb Town" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) days. Gross: $7,500. (Average, $8,000)

"Hold Back the Dawn" (Para.)
"Buy Me That Town" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c days, 2nd week. Gross: $9,000. (Aver $11,500)

"A Yank in the R.A.F." (20th-Fox)
"Henry Aldrich for President" (Para.)
FOX — (5,000) (15c-35c-40c-50c) 7 d Gross: $20,500. (Average, $16,000)

"Navy Blues" (W. B.)
"Highway West" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c days, 2nd week. Moved over from Gross: $5,300. (Average, $5,500)

"Kukan" (State Rights)
CLAY—(400) (15c-35c-45c) 7 days, week. Gross: $900. (Average, $1,000)

"Honky Tonk" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c days, 2nd week. Gross: $12,000. (Aver $12,000)

Independent Radio Stations Organi

CHICAGO, Oct. 15.—Representati of 68 independent stations, meet at the Drake Hotel here yesterd adopted the name, Independent Bro casters, Inc., for an organization ap from the National Association Broadcasters and National Indepe ent Broadcasters.

Committees were named on orga zation, membership, super-power copyright. The last-named is ne tiating with Ascap officials on a p program license basis. An election the new organization will be held h early next month, with officers 12 directors to be elected.

RKO Will Not Sell Minn. Under Decr

(Continued from page 1)

If appeals are to be taken they n be filed in Minnesota within the n week.

Gradwell L. Sears, Warners' g eral sales manager, has revealed t his company would not sell in Min sota while it was bound by the cree selling method and until highest court has ruled on the con tutionality of the Minnesota l United Artists has announced its tention of withdrawing from the s on Oct. 25.

Mayor Addresses Ampa Lunch Tod

(Continued from page 1)

Nizer, film attorney, who will act master of ceremonies during the lu eon.

Among those who have indic their intention of attending are: G. Van Schmus, Stanton Griffis, A tin Keough, Jack Cohn, John Gol Francis Harmon and Louis de Ro mont.

DO NOT REMOVE

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 50. NO. 77 NEW YORK, U.S.A., FRIDAY, OCTOBER 17, 1941 TEN CENTS

ara. May Ask ecree Escape n Minn. Sales

ew's Will Not Sell in State Under Decree

rade circles heard yesterday it was likely that one major pany, possibly Paramount, was sidering the advisability of go- before Federal Judge Henry Goddard, here, and ask him to nt them special dispensation er the New York case consent ree to sell their product in Min- ota otherwise than is condi- ed by the decree terms.

Loew's will not sell in Minne- ota, it was learned officially esterday, while the decree is in fect.

aramount's procedure has not been rely clarified. One of the ques- s which must be answered is ther the intent of the move is to r the way for selling only to its

(Continued on page 6)

rosses on B'way Have Bright Week

usiness at Broadway first runs l up well this week in the wake of very healthy Columbus Day holi- weekend. Most of the attractions e holdovers, and two pictures are tinuing, "A Yank in the R. A. F.," ch starts a fourth week today at Roxy, and "Honky Tonk," which an a third week yesterday at the itol.

n its third week, "A Yank in the A. F.," with a stage show featur- the Nicholas Brothers, continued with an estimated gross of $52,000.

(Continued on page 7)

.B. Release Dates Set on New Films

radwell L. Sears, general sales nager of Warners, has announced ease dates on several new pictures. hey Died With Their Boots On" set for release Nov. 27; "The Man o Came to Dinner," Dec. 25; ing's Row," Jan. 1, 1942; "Captains the Clouds," Feb. 12, and "The le Animal," Feb. 22.

Other new films on which release es have not yet been set include: ridges Built at Night," "All rough the Night," "Wild Bill ckock Rides," "Remember Tomor- v" and "You're in the Army Now."

FP Canadian Gives Wage Increases Ranging Up to 10%

TORONTO, Oct. 16.—Increases in wages up to a maximum of 10 per cent went into effect this week for all theatre and home office employes of Famous Players Canadian Corp., across the Dominion, to meet the higher cost of living.

The increase amounts to 10 per cent for all employes earning up to $25 per week, with progressive smaller percentages of increase in the higher salaried brackets.

Managers of theatres only are exempted from the wage increase order, because they are able to participate in the distribution of business quota bonuses, based on the annual comparative receipts showing of each theatre.

Ex-Gov. Brucker Arbiter in Detroit

Wilber M. Brucker, former Governor of Michigan, has been designated arbitrator for the specific run complaint filed at the Detroit arbitration board against the five consenting companies by Irving A. Moss, owner of the Parkside Theatre, Detroit.

The complaint names the Co-Operative Theatres of Michigan and the Paramount-owned United Detroit Theatres as interested parties. A hearing date has not been set. Special interest attaches to the case due to the fact that it was among the first specific run complaints to be filed after Sept. 1, when the provisions of the

(Continued on page 7)

No Foundation to UA Bid Report: Bernhard

Joseph Bernhard, president and general manager of Warner Bros. Circuit Management Corp., when asked yesterday regarding reports that linked him with the presidency of United Artists, stated that they were "without foundation."

"At first," he said, "these rumors were amusing but now they have become annoying. They are, of course, without foundation."

Michel Tells Bioff Jury of $90,000 Fund

W. C. Michel, executive vice-president of 20th Century-Fox, yesterday told Federal Court Judge John C. Knox and a jury in the trial of George E. Browne and William Bioff, that Sidney R. Kent, 20th-Fox president, called him on either April 23 or 25, 1936, the period of the basic pact conferences, and told him of the necessity of raising $90,000 in cash. The trial yesterday was recessed to Monday.

The trial was interrupted during the afternoon to permit Dr. Harry Gold, heart specialist to testify that it would be impossible for Kent to testify either

(Continued on page 6)

Film Probe Hit As Censorship By LaGuardia

Praises Film Defense Aid In Ampa Address

By SHERWIN A. KANE

Attacking the motives and method of procedure which brought about the Senate subcommittee's investigation of alleged motion picture propaganda, Mayor F. H. La Guardia yesterday congratulated the industry "for standing up toe to toe and fighting" those responsible for the "investigation."

Speaking at the Ampa luncheon meeting at the Hotel Edison yesterday, Mayor LaGuardia indicated that he saw in the subcommittee's procedure an attempt to regulate the screen by extra-legal procedure.

"If facts depicted on the screen," he said, "are to be subjected to censorship through intimidation, then the public might as well know it. All the liberty that is granted to the press should and must be granted to the

(Continued on page 6)

9,200 Block Deals For Metro: Rodgers

Loew's has closed approximately 5,700 deals with independent exhibitors for its first block of new season's product and 3,500 deals for the second block, William F. Rodgers, vice-president and general sales manager, reported yesterday.

Rodgers cited the figures as illustrative of the smoothness with which selling under the decree system is progressing insofar as his company is concerned.

"Never in the history of the company have we sold so rapidly,"

(Continued on page 6)

William Fox to Be Sentenced Today

PHILADELPHIA, Oct. 16.—William Fox, bankrupt former film executive, will be sentenced tomorrow morning by Judge Guy K. Bard in U. S. District Court here on his plea of guilty of conspiracy to obstruct justice and defraud the United States. He was the Government's star witness in its two unsuccessful trials of Circuit Judge J. Warren Davis on similar charges.

Technician Report Blow to English Production Plans

LONDON, Oct. 16.—The production plans of British and American producers here are seen as suffering a severe blow in the final recommendation of the joint industry-Government committee on technical manpower.

The report, which will go to the Ministry of Labor, approved the immediate call for military service of younger men and the subsequent calling of older men within the military age range, with the exception of 450 key technicians whose call has been indefinitely deferred.

It is hoped to train women to replace men in the meantime. The report pays lip-service to the need for continuity of production in British

(Continued on page 7)

Theatre Ads Not Cut In Newsdealer Strike

No curtailment of theatre advertising in the eight New York newspapers at odds with the newsdealers is planned, it was learned yesterday. Some circuit advertising heads expressed the opinion that despite the newsdealers' boycott or strike the circulation of the dailies had not fallen off to an extent that would warrant such action.

Late yesterday the State Mediation Board reported that peace negotiations are under way and it was hopeful of an early settlement. Meanwhile, publishers are making the papers available through crews of newsboys.

Personal Mention

BARNEY BALABAN left for the Coast last night.

•

MR. and MRS. HARRY COHN arrived from the Coast yesterday on the American Airlines' *Mercury*.

•

MILTON SCHWARZWALD, producer, arrived yesterday from the Coast by plane.

•

OLIVER UNGER is on a trip through New York State.

•

JOHN GRIERSON, film commissioner of Canada, is in town.

Cinema Lodge Holds Ball Tomorrow Night

The second annual banquet and ball of the Cinema Lodge, B'nai B'rith, will be held tomorrow night at the Hotel Astor. Several hundred persons, including members and guests, are expected, according to officials. The entertainment committee headed by Bob Weitman has lined up a program which is expected to include Dinah Shore, Larry Adler, Eddy Duchin, Xavier Cugat and his show, Lina Romay and Phil Spitalny and his choir, among others. Vincent Lopez and Ralph Rotgers and their bands will play for dancing.

Pep Club Dance Tonight

The Paramount Pep Club will hold its annual dance this evening in the Belvedere Room of the Hotel Astor.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
"ALL THAT MONEY CAN BUY"
EDWARD ARNOLD . WALTER HUSTON
Produced by WILLIAM DIETERLE
An RKO-Radio Picture
ON THE GREAT STAGE: "Silk-Satin-Calico-Rags"—Russell Markert's gay colorful revue. Symphony Orchestra, direction of Erno Rapee. 1st Mezzanine Seats Reserved Circle 6-4600

CHARLES BOYER
Olivia DeHAVILLAND Paulette GODDARD
"HOLD BACK THE DAWN"
A Paramount Picture
PARAMOUNT
IN PERSON
XAVIER CUGAT AND BAND
JAY & LOU SEILER
TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW ROXY 7th AVENUE 50th STREET

RKO PALACE B'WAY & 47th St.
BETTE DAVIS
"The LITTLE FOXES"
"MOONLIGHT IN HAWAII"
with LEON ERROL

Late News Flashes from the Coast

Hollywood, Oct. 16

THE staff of Walter Wanger Productions, Inc., is to be reduced, effective Nov. 15, following the deal closed yesterday in New York whereby United Artists acquired Wanger's share of the company. Eleven persons are affected, including John LeRoy Johnston, publicity and advertising director; Percy R. Guth, comptroller; Walter Reynolds, cutter, and secretaries, clerks and auditors.

• •

Lester Ziffren, for the last three years a writer at 20th Century-Fox, today was appointed assistant to Sol M. Wurtzel, executive producer.

• •

Twentieth Century-Fox will seek permission from Washington, it was announced, to send a camera crew to Iceland for background shots for use in the picture "Iceland," which will star Sonja Henie. The story as now developed has a locale of contemporary Iceland with United States and British soldiers present.

• •

Republic today "borrowed" Marjorie Weaver from 20th Century-Fox and signed James Ellison to play the leads in "Mr. District Attorney" and "The Carter Case," an announcement stated.

• •

The Hollywood industry will give a luncheon Oct. 22 for the National Association of Commercial Organizations Secretaries at its 27th annual convention in Los Angeles. The event will be held at the M-G-M studio with Louis B. Mayer and Y. Frank Freeman, Producers' Association president, as hosts.

Theatre Heads Meet On Hudson Campaign

DETROIT, Oct. 16.—Arrangements for a statewide campaign launching the plan of Earl Hudson, president of United Detroit Theatres, to "sell" the inlustry to the public were made here today at a meeting of heads of various theatre groups in this area.

The campaign will be instituted shortly in Michigan theatres, it is planned. Ray Branch, head of Michigan Allied, who called the meeting, is expected to reveal details of the perfected plan tomorrow, after he has contacted members of the organization's board.

To Honor IA Head, Fire Chief in Phila.

PHILADELPHIA, Oct. 16.—The local industry will sponsor a testimonial dinner in honor of Lou Krouse, international secretary and local head of the IATSE, and Fire Marshal Jacob Clinton, in recognition of the many things he has done to reduce fire hazards in the industry. The affair, sponsored by the local film exchanges, is set for next Thursday at the Ritz-Carlton Hotel.

Campbell Dixon Is Here from London

Campbell Dixon, film editor of the London *Daily Telegraph* and chairman of the Film Section of the Critics' Circle, has arrived by clipper from London.

He expects to be in this country several months, investigating war production. He also plans on visiting the Hollywood studios.

Appoint Archibald To Midlands Post

LONDON, Oct. 16.—George Archibald, former joint managing director with Edward T. Carr of United Artists in England, has been appointed Civil Commissioner for the Midlands region. It was at first supposed that he would take a post with the RAF.

Baltimore Club New Quarters Opened

BALTIMORE, Oct. 16.—Over 100 guests attended the twice-postponed opening of the Variety Club's new headquarters here tonight atop the Stanley Theatre Building.

Entertainment was provided from the Hippodrome Theatre as part of a special opening night program. C. William Hicks is Chief Barker of the tent and the list of officers and board of governors includes: O. D. Weems, Edward Perotka, Barry Goldman, Joseph Grant, Bernard Seaman, Edwin A. Sherwood, Lauritz Garman, Elmer Nolte, Jr., J. Louis Rome, Frank Durkee and Rodney Collier.

Mass for M.A. Shea To Be Held Tuesday

Employes of the New York office of Shea Chain, Inc., have arranged to hold a memorial mass next Tuesday at the R. C. Holy Cross Church on West 42nd Street, for the late Maurice A. Shea, circuit head, who died Oct. 19, 1940. The memorial mass will be held at 9:30 A.M.

Mayer, Strickling, Korda Fly to Coast

Louis B. Mayer, M-G-M production chief; Howard Strickling, publicity director at the M-G-M studios, and Alexander Korda, United Artists producer, left for the Coast last night on the American Airlines' *Mercury*.

Exhibitor Is Rescued

COLUMBUS, O., Oct. 16.—Fred W. Rowlands, owner of the Parsons Theatre, and co-owner of the Columbia, Main and Hollywood, was rescued with three other men when a speedboat overturned during a Lion's Club outing on Buckeye Lake yesterday. Two other men were drowned.

M. P. Associates Meet

Motion Picture Associates at a luncheon-meeting yesterday at the Hotel Lincoln made plans for their annual dinner and dance Nov. 19 at the Hotel Astor. Jack Ellis is handling the affair.

Newsreel Parade

THE weekend reels have an interesting and significant subject the captured Nazi spy ship escort into Boston harbor. War pictur from Africa also are shown. T contents:

MOVIETONE NEWS, No. 12—Spy in Boston. Stunt air crash in Calif Baby rhinoceros in Chicago zoo. R chorus girls at Randall's Island. A phibian tanks in Florida. Armored tr in Russia. British airmen over No Africa. Fashions. Army vs. V. M. I. fo ball. Soccer in England. Yachting North Carolina.

NEWS OF THE DAY, No. 210—Mari test sea tanks in Florida. Spy ship Boston. "Good-will" ceremony at Gua lupe Shrine. Rhinoceros born at Chic zoo. British planes over Middle Ea Churchill at soccer match in England. Louis passes Army medical test in Chica Army-V. M. I., Texas Aggies-N. Y. football.

PARAMOUNT NEWS, No. 15—Air r drill in New York. President of Portu inspects Azores, returns to Lisbon. N guards Nazi ship in Boston. Ameri military mission in Rio de Janeiro. M rines test amphibian tanks in Florida. Louis takes Army medical examination Chicago. General Weygand, Sultan Mohammed and the French Fleet in Afri

RKO PATHE NEWS, No. 15—Nazi ship in Boston. Portugal's president Azores. Pan-American mass at Guadal Shrine. New magnesium plant in Cali nia. Chorus girls at Randall's Island, N Rail guards on Wisconsin roads. Soldi are guests of Gene Raymond in Los A geles. Joe Louis and Army doctor in C cago. South Africa forces prepare for

UNIVERSAL NEWSREEL, No. 24—N ship in Boston. New shell plant in A bama. Amphibian tanks tested in Flor Guadalupe Shrine holds Pan-Ameri mass. Chorus girls at Randall's Isla Men's beauty shop in New York. No western-Wisconsin football. Chimp wr ler in Buffalo zoo.

Disney Due Monda From South Ameri

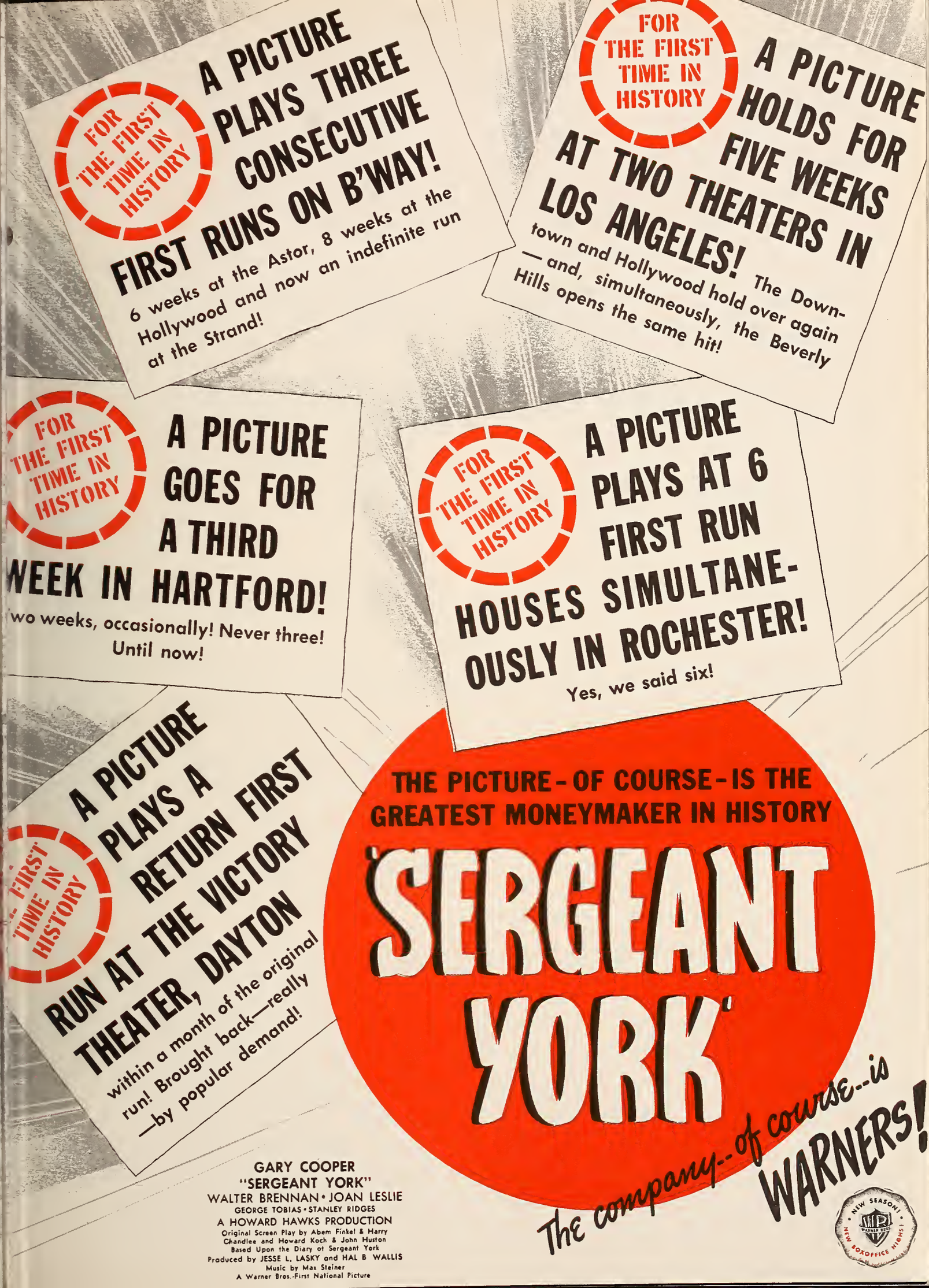
Walt Disney will arrive here on *Santa Clara* on Monday from a t month stay in South America. I expected that he will remain over New York to attend the opening his new RKO film, "Dumbo," at Broadway Theatre Thursday eveni

In Disney's party are: Mrs. Dis John Rose, Mr. and Mrs. Will Cottrell, Norman Ferguson, Sears, Webb Smith, Joseph Bodr Janet Martin and Franklin Thomas.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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FOR THE FIRST TIME IN HISTORY
A PICTURE PLAYS THREE CONSECUTIVE FIRST RUNS ON B'WAY!
6 weeks at the Astor, 8 weeks at the Hollywood and now an indefinite run at the Strand!
FOR THE FIRST TIME IN HISTORY
A PICTURE HOLDS FOR FIVE WEEKS AT TWO THEATERS IN LOS ANGELES! The Downtown and Hollywood hold over again — and, simultaneously, the Beverly Hills opens the same hit!
FOR THE FIRST TIME IN HISTORY
A PICTURE GOES FOR A THIRD WEEK IN HARTFORD!
Two weeks, occasionally! Never three! Until now!
FOR THE FIRST TIME IN HISTORY
A PICTURE PLAYS AT 6 FIRST RUN HOUSES SIMULTANEOUSLY IN ROCHESTER!
Yes, we said six!
FIRST TIME IN HISTORY
A PICTURE PLAYS A RETURN FIRST RUN AT THE VICTORY THEATER, DAYTON
within a month of the original run! Brought back—really—by popular demand!
THE PICTURE - OF COURSE - IS THE GREATEST MONEYMAKER IN HISTORY
"SERGEANT YORK"
GARY COOPER
"SERGEANT YORK"
WALTER BRENNAN • JOAN LESLIE
GEORGE TOBIAS • STANLEY RIDGES
A HOWARD HAWKS PRODUCTION
Original Screen Play by Abem Finkel & Harry Chandlee and Howard Koch & John Huston
Based Upon the Diary of Sergeant York
Produced by JESSE L. LASKY and HAL B WALLIS
Music by Max Steiner
A Warner Bros.-First National Picture
The company--of course--is WARNERS!
NEW SEASON! NEW BOXOFFICE HIGHS!

'Yank' Draws Good $21,000 Philadelphia

PHILADELPHIA, Oct. 16. — Unseasonal heat and competition from ballroom openings where large name bands were featured, held down picture grosses to low levels. However, big business was registered by "A Yank in the R. A. F." at the Fox, drawing $21,000.

Estimated receipts for the week ending Oct. 7-10:

"Lydia" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $10,000. (Average, $9,000)
"The Stars Look Down" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,000. (Average, $2,600)
"When Ladies Meet" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $9,000. (Average, $13,000)
"Married Bachelor" (M-G-M)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Larry Clinton's orchestra, Peggy Mann, Butch Stone, Sunny Rice, Ray & Trent and Wally Brown & Annette Ames. Gross: $18,000. (Average, $14,000)
"Private Nurse" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Charmaine, Ginger Manners, Bob Easton & Ondee Odette, Emmett Oldfield & Eddie Ware, Allen & Kent, Gae Foster girls and Billy Klaiss' orchestra. Gross: $6,200. (Average, $6,900)
"A Yank in the R.A.F." (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. (Average, $13,000)
"Here Comes Mr. Jordan" (Col.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $4,000. (Average, $3,000)
"Navy Blues" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 8 days, 2nd run. Gross: $3,500. (Average, $4,500)
"You'll Never Get Rich" (Col.)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days. Gross: $13,000. (Average, $14,000)
"Nothing But the Truth" (Para.)
STANTON—(1,700) (35c-46c-57c) 7 days, 2nd run. Gross: $5,500. (Average, $4,500)

'Heaven' Grosses $21,200 in Capital

WASHINGTON, Oct. 16. — In its world premiere week at Warner's Earle, "One Foot in Heaven" took a strong $21,200. "The Little Foxes" drew $11,000 in the second week at the RKO Keith's.

Estimated receipts for the week ended Oct. 8-9:

"Sun Valley Serenade" (20th-Fox)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $13,000. (Average, $15,000)
"The Little Foxes" (RKO)
RKO KEITH'S—(1,843) (39c-55c) 7 days. 2nd week. Gross: $11,000. (Average, $10,000)
"One Foot in Heaven" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-44c-55c-66c) 7 days. Vaudeville. Gross: $21,200. (Average, $15,000)
"Navy Blues" (W. B.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $5,200. (Average, $3,500)
"Smilin' Through" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Condos Bros., Jackie Heller, Paul Winchell, Rhythm Rockets. Gross: $19,000. (Average, $15,500)
"Lady Be Good" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,500. (Average, $3,500)

Form Theatre Firm

SACRAMENTO, Oct. 16. — Irving S. Baltimore, George Baltimore and Leila J. Argue, all of Los Angeles, have incorporated Beverly Amusement Corp. to engage in the operation of theatres in California. Principal offices will be in Los Angeles.

Reviews

"Hot Spot"

(20th Century-Fox)

"HOT SPOT" hits the spot. Milton Sperling has scored a bullseye with his production of this mystery yarn, based on the novel, "I Wake Up Screaming," by Steve Fisher. Every foot of film is packed with interest, each scene presents new angles and the solution is built solidly on the clues provided.

Clever camera work and a splendid performance by Laird Cregar, as a police inspector, lend this mystery story a psychological flavor. Creger's role is sinister and creepy until a single shot at the end reveals his desperate love for the murdered girl. The picture starts with Victor Mature, promoter of fights, plays and girls, being examined by the police who are investigating the murder of Carole Landis. Flashbacks show how Mature picks up Miss Landis, then a waitress, and promotes her to a nationally known glamor girl.

Aided by Alan Mowbray, as an actor, and Allyn Joslyn, as a columnist, he introduces Miss Landis in the correct circles. About midway in the picture, the flashbacks cease and Mature sets out after the murderer in an effort to clear himself. In this pursuit he is aided by Betty Grable, the murdered girl's sister. Almost everybody in the cast falls under suspicion from time to time, but the denouement is entirely satisfactory. William Gargan and Elisha Cook, Jr., are excellent in supporting roles.

H. Bruce Humberstone deserves credit for the fine direction. It is the kind of a picture which should receive considerable word-of-mouth publicity. An audience of trade press reviewers who watched the film in the projection room prior to the trade showing appeared considerably impressed.

Running time, 82 minutes. "A."* EDWARD GREIF

"Moon Over Her Shoulder"

(20th Century-Fox)

A PLEASANT domestic comedy, this should appeal to the ladies. The plot poses the problem of whether or not a marriage can be too perfect, and whether a wife really loves a husband who always does the right thing. Certain exploitable possibilities present themselves from these situations.

The action suffers from too much dialogue and there are many slow moments. John Sutton is the perfect husband whose profession is advising couples how to make their own marriages successful. His wife (Lynn Bari), however, after seven years of faultless attentions, yearns for something exciting. Misunderstanding his wife's desires, Sutton urges her to resume her old hobby of painting.

Dutifully, she sets out with her brushes when Dan Dailey, Jr., a handsome young captain of a fishing boat, thinks she is about to commit suicide. Trying to save her, Dailey takes her aboard his boat and after desperate efforts to explain, she decides to act the pretty young girl in distress. When her true identity is learned there are complications, including a resort to fisticuffs by the husband, who knew all the answers. In the cast are Alan Mowbray, Leonard Carey, Irving Bacon, Joyce Compton, Lillian Yarbo, Eula Guy and two youngsters, Shirley Hill and Sylvia Arslan. Alfred Werker, who directed, permitted too much talk to slow up a lively theme. The picture is suitable as program fare.

Running time, 68 minutes. "A."* EDWARD GREIF

**"A" denotes adult classification.*

'Kane' Is Montreal Winner at $10,500

MONTREAL, Oct. 16.—"Citizen Kane" topped the week's receipts, ringing up $10,500 at Loew's. "When Ladies Meet" at the Palace drew $7,500.

Estimated receipts for the week ending Oct. 9:

"Tanks a Million" (U. A.)
"Niagara Falls" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days. Gross: $3,000. (Average, $4,000)
"Citizen Kane" (RKO)
LOEW'S—(2,900) (35c-47c-67c) 7 days. Gross: $10,500. (Average, $7,000)
"Buy Me That Town" (Para.)
"Flying Blind" (Para.)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $2,900. (Average, $2,500)
"When Ladies Meet" (M-G-M)
PALACE—(2,200) (30c-45c-62c) 7 days. Gross: $7,500. (Average, $7,000)
"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $5,800. (Average, $4,000)

'Honky Tonk' Good Indianapolis Gross

INDIANAPOLIS, Oct. 16. — "Honky Tonk" and "Tanks a Million" did $14,500, one of the year's best grosses here, at Loew's, and were held. The weather was mild and rainy.

Estimated receipts for the week ending Oct. 10:

"Hold Back the Dawn" (Para.)
"Flying Blind" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $8,500. (Average, $6,500)
"Navy Blues" (W. B.)
"The Smiling Ghost" (W. B.)
INDIANA — (3,200) (28c-33c-44c) 7 days. Gross: $7,500. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Tanks a Million" (U. A.)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $14,500. (Average, $8,000)
"Sun Valley Serenade" (20th-Fox)
"Dressed to Kill" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days, 3rd week. Gross: $3,700. (Average, $4,500)

Bad Weather Hits Chicago Film Grosses

CHICAGO, Oct. 16. — As rainy weather most of the week cut deeply into grosses, only two houses scored better than average business. "Spo Run Wild," aided by a stage show drew $18,500 at the State-Lake, while "Lady Be Good" just passed average with $32,500 at the Chicago.

Estimated receipts for the week ending Oct. 9:

"Sun Valley Serenade" (20th-Fox)
APOLLO—(1,400) (30c-40c-59c) 7 days Gross: $6,200.
"Lady Be Good" (M-G-M)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Variety bill. Gross: $32,500. (Average, $32,000)
"Whistling in the Dark" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,500. (Average, $5,000)
"Hold That Ghost" (Univ.)
"Out of the Fog" (W. B.)
ORIENTAL—(3,200) (25c-40c) 7 days. Gross: $7,500. (Average, $9,000)
"This Woman Is Mine" (Univ.)
"Mob Town" (Univ.)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $11,500. (Average, $13,000)
"Belle Starr" (20th-Fox)
"Nine Lives Are Not Enough" (W. B.)
ROOSEVELT—(1,500) (30c-40c-59c) 7 days, 2nd week. Gross: $8,000. (Average, $11,000)
"Spooks Run Wild" (Mono.)
STATE-LAKE—(3,700) (25c-35c-40c-50c) 7 days. Stage: Hollywood Sweater Girl Revue. Gross: $18,500. (Average, $14,000)
"Here Comes Mr. Jordan" (Col.)
UNITED STATES—(1,700) (30c-40c-59c) 7 days, 2nd week. Gross: $10,000. (Average, $14,000)

'York' Cincinnati Tally Hits $9,300

CINCINNATI, Oct. 16. — "Sergeant York," playing a second week at the RKO Capitol at advanced prices, did $9,300. "A Yank in the R.A.F." drew $13,400 at the RKO Albee, and "The Smiling Ghost," aided by George White's Scandals" on the RKO Shubert stage, pulled $12,500.

Estimated receipts for the week ending Oct. 8-11:

"A Yank in the R.A.F." (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $13,400. (Average, $12,000)
"It Started With Eve" (Univ.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $8,700. (Average, $10,000)
"The Smiling Ghost" (W. B.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: George White's Scandals." Gross: $12,500. (Average, $10,000)
"Sergeant York" (W. B.)
RKO CAPITOL—(2,000) (33c-50c-60c) 7 days, 2nd week. Gross: $9,300. (Average, at 33c-40c-50c, $5,500)
"Lady Be Good" (M-G-M)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,400. (Average, $5,000)
"Unfinished Business" (Univ.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $3,000. (Average, $4,500)
"Lady Scarface" (RKO)
"Man from Montana" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"The Saint's Vacation" (RKO)
"Hurry, Charlie, Hurry" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"Father Takes a Wife" (RKO)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,000. (Average, $5,000)

Named Universal Booker

PHILADELPHIA, Oct. 16.—Harry Wiesenthal has been shifted from Boston as Universal booker here to fill the post of John Scully, Jr., a reserve officer, who was called up for active duty.

"TEXAS" IS BIG!

TOPS "PENNY SERENADE"
"HE STAYED FOR BREAKFAST"
..."HIS GIRL FRIDAY" AND
"THE DOCTOR TAKES A WIFE"
IN SENSATIONAL OPENING
AT HOLLYWOOD THEATRE,
FORT WORTH!



"TEXAS"

WILLIAM HOLDEN ★ CLAIRE TREVOR ★ GLENN FORD

GEORGE BANCROFT • EDGAR BUCHANAN

Story by Michael Blankfort and Lewis Meltzer • Screen play by Horace McCoy, Lewis Meltzer, Michael Blankfort • Directed by GEORGE MARSHALL • Produced by SAMUEL BISCHOFF

A COLUMBIA PICTURE

Para. May Ask Decree Escape On Minn. Sales

(Continued from page 1)

subsidiary, Minnesota Amusement Co., or for selling to all Minnesota theatres. There is the possibility that Judge Goddard will be asked only to interpret Section 17 of the decree, for the purpose of determining whether under it Paramount has the right to sell to its Minnesota subsidiary in accordance with the Minnesota state law.

Para. Selling Circuit

Under that section a consenting distributor has the right, presumably, to sell its affiliated theatres "in such manner" as may be "satisfactory to it." Acting on this section, Paramount already is selling its new season product to Minnesota Amusement Co. That circuit, additionally, has an M-G-M franchise and has closed with Universal and Columbia. With extended runs made possible by the fact that it is the only Minnesota circuit having that much product available, it might well be able to weather the confused legislative situation comfortably.

Warners, RKO and United Artists already have made known their intention of not selling in Minnesota, leaving 20th Century-Fox as the only company whose position has not yet been disclosed.

William F. Rodgers, Loew's vice-president and general sales manager, is known to feel that his company is bound by the terms of the consent decree and the Minnesota anti-block law can't change that.

Repeal a Solution

It is Loew's attitude, according to report, that if, as recently represented, a majority of the exhibitors in Minnesota are opposed to the state law, the apparent remedy is to seek a special session of the Minnesota legislature and work for repeal of the law.

That a special session is not an impossibility has been indicated in reports from St. Paul to the effect that one may be called this Fall or Winter to reconsider the state's taxation and finance situation which, reportedly, requires special and early consideration. The legislature is not scheduled to meet in regular session until next year.

9,200 Block Deals For Metro: Rodgers

(Continued from page 1)

Rodgers stated. The company now is engaged in selling its third block of pictures.

Rodgers viewed completed and nearly completed product during a recent visit to the studio from which he returned early this week. Among the latter and from which the ensuing block will be selected are some of the company's outstanding pictures of the year, Rodgers said. These include "Chocolate Soldier," scheduled to open at the Astor on Broadway next week; "Two-Faced Woman," Garbo picture; "Babes on Broadway;" "H. N. Pulham, Esq.," the new "Thin Man" picture; "Woman of the Year," starring Katharine Hepburn; "Panama Hattie" and "Miss Achilles' Heel."

LaGuardia Assails Inquiry As Attempt at Censorship

(Continued from page 1)

newer medium of expression, the screen."

The Mayor commended the industry for its part in national defense and diverged to pay enthusiastic tribute to Wendell Willkie as "the highest type of American." The 1940 Republican Presidential candidate, who represented the industry at the subcommittee hearings, "has put everything personal aside in his work for national unity and his example of loyalty to country before all else," the Mayor said.

The industry, he stated, "has absolutely nothing to be ashamed of in the pictures it has made in the past few years and nothing to apologize for in its newsreels. It is, rather, to be congratulated and it has the support of the public. No one-sided, bigoted group should be permitted to interfere with the work it is doing in contributing to national defense and national unity."

Inquiry Possible Abuse

He said that the "propaganda" investigation "might be considered a great abuse of legislative power."

Mayor La Guardia related in opening his address that he recognizes two schools of thought in America on international affairs, the one which believes the peace of the world and the future of America is menaced by Hitler, and the other which "likes the Hitler kind of government and believe him so powerful it would be prudent to sit down and talk things over with him." Out of the second group, he said, "bigotry and hatreds have developed. Show me a man who approves of Hitler's methods and I will show you a man who is a bigoted, narrow-minded person."

Recalling that the subcommittee's investigation never was authorized by the Senate and inferring that its proponents were most interested in "freedom for those who believe as they do," the Mayor declared that "the public has a right to know just what those Senators object to in the motion pictures they have denounced."

"Some of those pictures I have seen; some of those objected to have no connection with what is taking place in Europe, they deal with national defense. What could be more American than the film story of 'Sergeant York'? Would the investigators prefer to have had the picture depict him as betraying his country after having been brought into the war? And what could be more factual than your newsreels and The March of Time?"

Nazis No Gentlemen

"The motion picture industry is really good at its work," he continued. "It has rare imagination, flights of fantasy, command of near-magic, but there is one thing it cannot do. No script could be written which could show Hitler and his regime in a favorable light. You simply can't make a gentleman out of a Nazi. And yet these investigators ask why all pictures show Nazis in an unfavorable light."

Mayor La Guardia was introduced by Louis Nizer, attorney, who drew a parallel between the Mayor's successful methods of obtaining public attention and following and those employed by the industry's advertising and publicity men.

Vincent Trotta, Ampa president, was chairman of the meeting. On the dais were: W. G. Van Schmus, Stanton Griffis, Colvin Brown, John Golden, Jack Alicoate, Francis Harmon, Austin Keough and Leon Bamberger.

Theatrical Groups Hold La Guardia Rally Oct. 27

A luncheon by the Theatrical, Motion Picture and Radio Division of the Citizens Committee for the Reelection of La Guardia, McGoldrick and Morris, will be held Oct. 27 in the Grand Ballroom of the Hotel Astor.

Stars of stage, screen and radio will occupy places on a large triple dais. John Golden is honorary chairman of the committee. Louis Nizer will introduce the Mayor. On the dais with the Mayor and his running mates are scheduled to be: Helen Hayes, Major Edward Bowes, Stanton Griffis, vice-chairmen of the committee; J. Robert Rubin, secretary, and W. G. Van Schmus, treasurer.

B & K to Have Drive In Honor of Freeman

CHICAGO, Oct. 16.—Balaban & Katz managers, department heads and executives have launched a salute to Y. Frank Freeman, Paramount production head, in the form of a nine-week drive, Oct. 31 to Jan. 3. The campaign here is expected to be used as a model for other Paramount affiliated theatres in a national drive, it was stated.

Five division winners will be awarded a trip to Hollywood. Dave Balaban was made chairman and Harry Lustgarten co-chairman of the drive. A. J. Platt, Nate Platt, Jack Sampson and Dave Wallerstein are on the committee, with Ed Seguin and James Savage handling publicity.

Para. to Produce Army Training Film

HOLLYWOOD, Oct. 16.—Paramount will produce another War Department training film, according to Darryl F. Zanuck, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences. The film is titled "The Motor Vehicle Driver," dealing with maintenance of Army motorized equipment.

Special RKO Board Meeting on Budgets

A special meeting of the RKO board of directors will be held today to consider budgets and appropriations. George J. Schaefer, president, is visiting the studio and will be unable to attend the meeting.

Michel Tells Bioff Jury of $90,000 Fund

(Continued from page 1)

in the courtroom or at his home, to submit to a deposition inquiry. Cor

Michel testified that he had r $93,392 during the period from 19 through 1940 by use of expense vouc ers. When he was asked how th sum was used, or how much Kent ha been reimbursed from this amount, defense objection was sustained.

Albert Warner, vice-president an treasurer of Warner Bros., took th stand at 4:20 P. M. and had only tim to identify himself and state that h was present during the 1936 basic pa discussions when a recess was take until Monday. He will continue o the stand at that time.

Alleged Intermediary Ill

The Government also brought an other physician to the stand, Dr. W Drew Chipman, who testified tha Harry W. Beatty, former IATSE in ternational representative, was ill wit a heart condition in Los Angeles an could not be brought East without en dangering his life. Beatty is the ma who, the Government contends, suc ceeded Norman Thor Nelson a Bioff's designee to collect commission from Smith & Aller, Ltd., West coas representatives of DuPont Film.

Hugh J. Strong, personnel super visor at 20th Century-Fox, testifie that in the Spring of 1937 he accom panied Kent when the latter delivere an envelope containing money to a bellboy at the Warwick Hotel for Bioff. Strong also said that he brought an envelope containing money to Bioff at the Hotel Astor in the Fall of 1937.

Nelson Testifies Again

Nelson continued with his testimony as the first witness yesterday. He told of reporting his income tax under Bioff's direction and of being dismissed without explanation by Bioff with instructions, "You keep this to yourself—that's all." He also stated that Bioff gave his mother-in-law (Nelson's mother) $20,000 in cash during the Summer of 1936. Cross-examination was brief and elicited only the fact that she had deposited the sum in her bank.

Frank C. Olsen, secretary of the Chicago Theatrical Protective Union, Local 2, IATSE, testified that Beatty became a member of that local on March 21, 1902 and Browne on Aug. 16, 1915. Florence Rose, bookkeeper at the main IATSE offices, stated that Beatty was paid $110 weekly as international representative from Aug. 4, 1936, to Feb. 10, 1939. Hotel representatives followed to say that Beatty and Browne had registered at the Waldorf-Astoria on April 29, 1936, had checked out together at 5:28 the next morning, and had checked in at the Hotel Warwick an hour later.

20th-Fox Asks Tax Cut

Twentieth Century-Fox Film Corp. yesterday filed a writ in N. Y. Supreme Court against the N. Y. City Tax Commission, claiming excess assessments for 1941-'42 on three unnamed company properties. The writ seeks a reduction from $1,590,000 to $1,250,000.

...tations Win ...J. S. Priority For Repairs

...ASHINGTON, Oct. 16. — New ...ers were issued today by the ...ce of Production Management ... which commercial broadcast- ...stations and certain other in- ...tries will be given an A-10 pri- ...y rating to obtain maintenance ... repair materials.

...he rating also can be used to ob- ...a fuel and other operating supplies. ...he preference will be granted only ... equipment, accessories and the like ... maintenance and repair. It will ... extend to the replacement of exist- ... material with material of a better ...d, quality or design, or to additions ... or expansion of present installa- ...ns.

...heatre Curfew in England Ruled Out

...ONDON, Oct. 16.—The attempts of ...al authorities in England to im- ...se early curfew on theatre opera- ...n were effectively seotched today, ...en Herbert Morrison, Home Seere- ...y, declared in Commons that he ...d asked police officers throughout ...e country not to order theatres ...sed before 10 P. M.

... Where possible, Morrison requested, ...eatres are to be permitted to remain ...en until 11 P. M., the statutory ...nit imposed under the defense regu- ...tions. Morrison emphasized the im- ...rtance of the sereen as a means of ...ecreation for war workers, and sug- ...sted the staggering of closing hours ... here possible to assist in the trans- ...rtation problem. However, he said ...e would not disapprove earlier clos- ...g in the event of heavy bombing at- ...acks.

...British Report Blow To Production Plans

(*Continued from page* 1)

... tudios. The military service calls ...will be in three groups, the first now, ...he second in December and the third ...n April, with a total of 400 to be ...alled up.

... It is hoped to obtain Government ...cooperation in the relief from military ...serviee of actors, and the possible re- ...ease of studio space now occupied by ...he Government.

Sues on Ice Show Songs

Sonart Productions, Inc., produeer ...of the ice revue, "It Happened on Ice," ...has filed suit in N. Y. Supreme Court ...for $250,000 damages against Robbins ...Music Corp. for alleged breach of con- ...tract. Sonart claims that on Sept. 25, ...1941, Robbins agreed to promote the ...songs from the show and charges ...failure to cary out this agreement.

Plan to Film Musical

John Doran and Associates have closed a deal with Joseph Jordan and Homer Tutt for the pieture rights to "Deep Harlem," musical produced on Broadway two years ago. It is planned to make the film in New York with an all-colored cast.

Ascap-Web Pact Up With Independents

Officials of NBC, CBS, Ascap and the newly organized Independent Broadcasters, Inc., will confer here today on the new Ascap-network contract.

An agreement with the independents at the meeting on their share of the payments at the source under the new Ascap contract would clear the way for immediate closing by the two networks of the new pact. However, failure to reach an agreement could delay the return of Ascap music to the major networks indefinitely. The conferees will arrive here today from Chicago where the new independent organization was formed this week, with network and Ascap officials as observers.

Radio Independents Form Committees

CHICAGO, Oct. 16.—Representatives of the 68 independent broadcasting stations which met at the Drake Hotel here this week to form Independent Broadcasters, Inc., have appointed the following committees:

Organization and membership: Walter Damm, WTMJ, Milwaukee; Henry Slavick, WMC, Memphis; Ronald Woodyard, WING, Dayton; William O'Neil, WJW, Akron, and Campbell Arnott, WTAR, Norfolk, W. Va. Copyright—Hoyt Wooten, WREC, Memphis; Stanley Hubbard, KSTP, St. Paul; John Gillin, WOW, Omaha; Ed Craney, KGIR, Butte, Mont., and Hulburt Taft, Jr., WKRC, Cincinnati; Super-power—John Shephard, 3rd, WAB, Boston; John Kennedy, WCHS, Charleston, W. Va.; William Scripps, WWJ, Detroit; Luther Hill, KRNT, Des Moines, and Ed Craney, WGIR, Butte, Mont.

Directors Elected By Pittsburgh Club

PITTSBURGH, Oct. 16. — The local Variety Club elected directors this week as follows: I. Elmer Ecker, Mort England, Sam Feinberg, William Finkel, Robert Fiske, Mark Goldman, Joseph Hiller, Harry Kalmine, M. N. Shapiro, Tony Stern and Al Weiblinger. Election of officers will be held shortly, C. C. Kellenberg, retiring chief barker, has announced.

More than 800 of the 900 seats for the 13th annual dinner, set for Nov. 2, already have been sold. Former Attorney-General William McCraw of Texas will be toastmaster. Former Governor Harold Hoffman of New Jersey is scheduled as one of the speakers.

First FM Station Is Established in Ohio

COLUMBUS, Oct. 16.—The first FM station in Ohio, to be known as W45CM, built at a cost of more than $100,000, has been established here. It is owned and operated by WBNS, Inc., local CBS affiliate.

James E. Blower has been named program director, Herbert J. Welch, publicity director, and Paul E. Neal, musical director.

New CBS Frisco Outlet

KQW will replace KSFO as the San Francisco outlet for CBS Jan. 1, it has been announced.

200 Radio Stations Aid Army's Morale

Washington, Oct. 16.—More than 200 broadcasting stations in 21 states, the District of Columbia, Puerto Rico and Alaska are cooperating with the Army Morale Branch in providing entertainment and news programs for soldiers in Army camps, it is announced by the War Department.

The network was started last May as a "Red, White and Blue" chain, and a theme song with that title was arranged and transcribed by Don Allen and his orchestra, transcriptions being sent to all the participating stations.

Grosses on B'way Have Bright Week

(*Continued from page* 1)

"Honky Tonk" brought an estimated $28,000 in its second week.

At the Radio City Music Hall, "It Started With Eve," with the stage presentation, had a substantial second week's business estimated at $88,000. The film was replaced yesterday by "All That Money Can Buy."

The Strand grossed an estimated $35,500 with "The Maltese Falcon" and Jan Savitt's orchestra in its second week. The new show, "Sergeant York" and Phil Spitalny's orchestra, goes in today. "Target for Tonight" opens at the Globe today following "Law of the Tropics," which drew an estimated $3,500 for one week.

Ex-Gov. Brucker Arbiter in Detroit

(*Continued from page* 1)

consent decree relating to that type of complaint went into effect. Indications are that it will be the first case of its kind to be decided and as such may establish precedents for similar complaints.

Cicero, Ill., House Files on Clearance

CHICAGO, Oct. 16. — A demand for arbitration of clearance was filed here today by the R & G Theatre Corp., operating the Olympic, Cicero, Ill., against the five consenting companies. The Villas and Palace theatres in Cicero were named in the complaint.

Meanwhile, hearing of the clearance complaint of the Oriental Theatre, large Loop house, has been postponed from Oct. 20 to Oct. 22 to give parties in interest additional time to prepare stipulations of fact.

Order Petrillo Quiz In Action by AGMA

James C. Petrillo, president of the American Federation of Musicians, was ordered yesterday to testify before trial on Oct. 24 in reference to the suit of AGMA to restrain Petrillo from barring its members from working in films, on the stage or in radio. AGMA will question Petrillo on his jurisdictional powers and alleged threats by him to prevent AFM men from working with AGMA instrumentalists.

INS Head Tells FCC of Refusal To Sell Radio

WASHINGTON, Oct. 16.—Federal Communications Commission officials, investigating newspaper ownership of broadcasting stations, today turned their attention to alleged refusals of the International News Service to sell its reports to radio stations in cities where it had clients.

Joseph V. Connolly, president of King Features Syndicate, owner of INS, admitted that it was the policy not to sell stations in cities where it served papers because, he said, papers that buy service might want to use it on the air for promotional purposes. The service, he testified, is sold to papers on exclusive rights, and radio stations could be served only under a waiver from the paper in their city.

Herbert Moore, president of Transradio Press, told the commission that the Associated Press, the International News Service and the United Press sought to place "every obstacle possible" in its way when Transradio began operation.

The three wire services together with the American Newspaper Publishers Association, he charged, brought pressure on both the House and Senate in an effort to prevent Transradio from obtaining admittance to the press galleries, the White House and even the local police courts. This policy, he said, had been pursued in the state capitals as well as the national capital. Moore also said that pressure was brought to bear upon the foreign news agencies.

Radio-Music Parleys For Peace Under Way

Conferences in Pittsburgh between the management officials of WJAS and KQV there, and the local of the American Federation of Musicians were being watched yesterday by network officials in the hope that some formula for settlement of the AFM strike which started Wednesday might be found.

Yesterday the strike was extended to sustaining programs originating from NBC stations in Chicago, Hollywood and San Francisco, although New York was unaffected. The CBS strike which started Wednesday against the network's New York station spread to Hollywood and Chicago.

With only sustaining programs and remote pickups of bands during late evening hours affected, the periods at which listening is at its height remained relatively unchanged, as they are almost solidly sponsored. With New York musicians still working for NBC, that network did not find the question of sustaining programs difficult. CBS, however, was compelled to fill in with dramatic skits, unaccompanied singers and similar programs.

Again Sponsors Opera

Texaco again will sponsor Metropolitan Opera broadcasts this season, starting Saturday, Nov. 29 for 16 weeks. The programs will be heard from 2 to 4 P.M. over 142 NBC-Blue stations.

IT'S NOTHING BUT THE TRUTH
THAT "NOTHING BUT THE TRUTH"
TOPS "CAUGHT IN THE DRAFT"
IN SEATTLE...
AND BY 15%



Paramount Pictures

Watch for more box-office communiqués from the man of the hour, George Washington Hope!

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ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 50. NO. 78 NEW YORK, U.S.A., MONDAY, OCTOBER 20, 1941 TEN CENTS

ara. to Seek ecree Outlet or Minnesota

th-Fox Plans No Sales In State at Present

Paramount is drafting a petition r submission to Federal Judge enry W. Goddard requesting an emption from the consent de-ee's selling provisions to permit e company to operate in Minne-ta under the state's anti-block-of-e law. The petition is expected be filed this week.

Twentieth Century-Fox has no plans for selling in Minnesota at this time, W. C. Gehring, Central division manager, states.

The company is the fifth of the six ajor distributors affected by the

(Continued on page 6)

MPE Opens Fall Convention Today

More than 200 delegates, representng the technical branches of the film ndustry, will gather at the Hotel 'ennsylvania here this morning for he opening of the four-day semi-nnual convention of the Society of Iotion Picture Engineers.

The 25th anniversary of the found-ng of the organization will be ob-erved during the Fall convention. mery Huse of Hollywood, president, ill open the proceedings, which will nclude a series of eight technical ses-ions, featuring the reading of numer-us papers on technical matters. Such elated topics as television, optics nd laboratory procedure will be dis-ussed.

The 50th semi-annual banquet and dance will be held at the hotel on

(Continued on page 6)

Whitney to Shift Office to Capital

WASHINGTON, Oct. 19.—John Hay Whitney, director of the Motion Picture Division of the Committee on Inter-American Relations, will shift his headquarters from New York to Washington, Nov. 1, it was disclosed tonight.

The purpose of the move, it was stated, will be to enable Whitney to keep in closer touch with committee headquarters and obtain quicker action

(Continued on page 6)

Allied to Complete Plans for Unity at Pittsburgh Meeting

Allied States is expected to complete plans for its all-industry committee during the session of the national board of directors in conjunction with the Western Pennsylvania Allied convention which opens at the Hotel Roosevelt in Pittsburgh tomorrow.

All Allied units with the exception of the Connecticut organization have approved the industry unity plan by membership vote. Connecticut Allied is expected to give its indorsement when it meets in special session at New Haven tomorrow to reconsider its vote. The action of the meeting, together with appropriate instructions, will be sent immediately to Joseph F. Reed, chairman of the executive board of the Connecticut unit, who will be at the Pittsburgh meeting.

H. A. Cole, Allied national president, reported over the weekend that the Texas Allied vote in favor of the unity resolution was unanimous and that only one vote was cast against

(Continued on page 6)

'Pimpernel Smith' Acquired by U. A.

TORONTO, Oct. 19.—"Pimpernel Smith" has been sold to United Artists for U. S. and Canada distribution, it was announced here at the conclusion of conferences of Louis Jackson, chairman of the Anglo-American Film Corp. of London with N. L. Nathanson, on Friday. Sam Spring, New York attorney, represented Jackson. E. C. Raftery represented U. A. in the deal. Jackson planned to return to New York today and fly back to England soon.

Spring Convention Slated by Republic

Hollywood, Oct. 19.—Republic will hold an international convention next April or May at the studio, Herbert J. Yates, board chairman, announced at the second quarterly regional sales meeting which has been concluded here. Delegates from the foreign offices will attend with the domestic sales forces to discuss the 1942-'43 program.

Yates also announced that "King of the Forest Rangers" and "Son of Robin Hood" have been set as two of the serials for 1942-'43.

Raftery Temporary United Artists Head

Administrative reins of United Artists will be turned over temporarily to Edward C. Raftery, secretary and counsel, today due to the departure of Alexander Korda for the Coast over the weekend and Mary Pickford's scheduled departure today.

David O. Selznick will remain here another week and will share with Raftery the selection of a new president for the company. Selznick's deal for becoming a United Artists owner-producer has not been completely closed yet but no complications are foreseen and indications are that it will be formally closed as soon as a board meeting can be arranged. A directors' meeting is necessary to ratify the deal and a stockholders' meeting is required to elect Selznick to the board. The United Artists stockholders are also the directors.

Eleanor Roosevelt Scores Senate Probe of Films on Radio Broadcast

Mrs. Eleanor Roosevelt, wife of the President, took up the cudgels on behalf of the motion picture industry yesterday evening in her radio broadcast over 117 NBC-Blue stations from 6:45 to 7 o'clock, which was repeated over 11 NBC-Blue stations from 12:15 to 12:30 A.M. on behalf of Pan American Coffee, sponsor. Buchanan & Co. handles the account.

This is what Mrs. Roosevelt said in part:

"The motion picture industry has been under investigation by a Congressional committee. The question seems to be whether the producers have a right to present their views through the plays they produce.

"I think it is permissible for Senator Nye, Senator Wheeler and Mr. Lindbergh to present their views to the world, but I think it is equally permissible for all others.

"Why is one propaganda any different from any other? Freedom of speech should be accorded to all.

"The real test is whether a citizen has a right to say 'no,' and that right we have had for 150 years and is still ours today."

Hudson Plan Launched by Mich. Houses

Will Be Available to All Exhibitor Groups

By JOHN D. WAGNER

DETROIT, Oct. 19.—A total of 373 theatres in Michigan, a majority of houses operating in the state, has been enrolled as the first contingent by Allied Theatres of Michigan in the plan proposed by Earl J. Hudson to sell the motion picture as the greatest form of entertainment.

The campaign, which will be inaugurated throughout the state, has been christened the "Michigan Allied Plan." The campaign material will be available to any interested exhibitors, according to Ray Branch, Michigan Allied president, for adoption on a local or regional basis, and cooperation has been pledged by national leaders for launching it nationally.

Among those who have commended the plan are Abe Montague, Columbia

(Continued on page 6)

Albert Warner to Be Witness Today

Albert Warner, vice-president and treasurer of Warner Bros., is scheduled to describe his company's role in the 1936 basic pact meetings and subsequent discussions with George E. Browne and William Bioff when the trial of the latter two resumes in Federal Court this morning. Warner completed a few minutes of routine testimony when the trial adjourned Thursday.

Harry M. Warner, president, and Jack L. Warner, vice-president in

(Continued on page 6)

Monroe, N. Y., House Wins Clearance Cut

A consent award in the arbitration clearance complaint of Gleason Amusement Corp., owner of the Colonial, Monroe, N. Y., was entered at the local arbitration board on Friday.

The award constitutes a settlement agreement and calls for reduction of the 14 and 21-day clearance of the Ritz and Broadway, Newburgh, over

(Continued on page 6)

Another Exhibitor Decries Catering to Column Writers

EDITOR, MOTION PICTURE DAILY:

I think Ed Harris, of the Glendale Theatre, Glendale, Cal., in his recent letter to you, has hit the nail square on the head. It's high time we do something in this industry about unscrupulous critics who make their living directly from us and yet would sap our very life blood.

Mr. Harris' letter is quite timely in my own local situation. I am currently playing Metro's "Honky Tonk" and in our daily today the local critic in his review calls it a "corny offering from M-G-M."

Thank God the picture is doing S. R. O. business at every performance. Otherwise my wrath would be even greater!

Yes, you may quote me.

Sincerely,

PAUL O. KLINGLER, Manager,
The Rialto Theatre,
Lewistown, Pa.

Kansas City Variety Club Ball on Nov. 21

KANSAS CITY, Oct. 19.—The 11th annual charity ball of the local Variety Club will be held at the Pla-Mor Nov. 21, according to Jerry Zigmond, chief barker. Committees have been appointed, with Earl Jameson as general chairman. Sam Abend is in charge of tickets, and Arthur Cole and James Lewis will handle reservations.

Other committee chairmen are: Finton Jones, program; Barney Joffee, entertainment; Ward Scott, decorations, and Gale McKinney, publicity.

O. R. Hanson Opens Office in Toronto

TORONTO, Oct. 19.—Oscar R. Hanson, former associate of N. L. Nathanson, will open an office here tomorrow under the name of Foto-Nite Distributors, Ltd., with George Oulahan as manager. Oulahan formerly was associated with Hanson in Sovereign Film Distributors and Empire Universal Films, both Nathanson companies.

BROADWAY PLAYS

"BRILLIANT! . . . MIRACULOUS!"
—Danton Walker, News
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Mail Orders Promptly Filled

"A GREAT SHOW"—Herald Tribune
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Monday. Mats. Wed., Sat. & Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

BARNEY BALABAN is expected back from California tomorrow.

•

HARRY GOETZ left for the Coast yesterday.

•

H. A. Ross is ill at his apartment on Park Ave.

•

DON ALLEN, manager of the Tri-States Capitol at Davenport, Ia., and MRS. ALLEN are vacationing.

•

LESTER JEFFRIES has returned to his post as assistant manager of Fay's, Philadelphia, after an illness.

•

GREGORY RATOFF leaves today for the Coast from Chicago.

LEO SPITZ left the Coast Saturday for Chicago, where he will be joined by MRS. SPITZ.

•

ROBERT SCHWARTZ, operator of the Park Theatre, Thomaston, Conn., is the father of a son, MICHAEL, born at Waterbury Hospital.

•

JOSEPH PERRONE, operator of the Music Hall, Lansdale, Pa., became the father of a son recently.

•

MILTON MARX of Warners will have a water color exhibition at the Marie Sterner Gallery starting today.

•

LESTER STALLMAN, manager of the Astor, Reading, Pa., has recovered from an appendix operation.

Wanger Office Here To Close on Nov. 15

Walter Wanger's New York office, headed by Harry Kosiner, will be closed Nov. 15 because of the producer's withdrawal from United Artists.

Wanger left for London by clipper yesterday. He was accompanied by Norman Reilly Raine, writer, who will assist Wanger in preparing "Eagle Squadron," his next production. It was indicated prior to Wanger's departure that the producer might make no overtures for a new releasing arrangement until that production, and possibly another, are completed. Such a film "package" could be offered to any of the consenting distributors for immediate trade showing, thus facilitating a distribution deal, it was pointed out.

Kosiner, who has been in charge of Wanger's Eastern office for many years, expects to announce a new association soon.

Sentencing of Fox Off Until Tomorrow

PHILADELPHIA, Oct. 19.—The sentencing of William Fox, scheduled for Friday in Federal Court here, has been postponed until Tuesday by Judge Guy K. Bard at the request of Martin Littleton, Jr., Fox's attorney. Littleton, it is reported, will seek to have the case nol prossed.

Disney Party Today

Walt Disney, who returns today from South America, will be guest of honor at a party at the Waldorf-Astoria this afternoon given by RKO and the Disney office. Representatives of the Latin American consulates are expected to be present.

PREVIEW THEATRE
Invites You
to inspect its
NEW—MODERN
Preview Theatre No. 2
on the 9th Floor at
1600 BROADWAY, N. Y. C.
Each Theatre equipped for 35 mm and 16 mm showings day or night. Designed for comfort and BEST RESULTS.

Says CIO Ready to Organize Industry

The CIO is prepared to organize all white collar workers in the industry, Lewis Merrill, president of the United Office and Professional Workers of America, told several hundred persons at the Fraternal Clubhouse Friday night when he presented a charter to the Screen Office and Professional Employes Guild, Local 109. David Golden, temporary chairman, accepted the charter on behalf of the local.

Saul Miller, secretary of the Greater New York Industrial Council, pledged the support of all CIO unions here.

Delay Referendum On SPG Affiliation

The referendum of the Screen Publicists Guild on the question of affiliation with the Screen Office & Professional Employes Guild, Local 109, CIO, scheduled to be mailed Friday, has been postponed by the SPG executive council.

No reason for the postponement was given although it was stated the decision was by the unanimous vote of the executive council and negotiating committee. There will be a special membership meeting Thursday evening to consider the affiliation question and the progress of contract negotiations with the companies.

RKO Board Takes No Dividend Action

The RKO board of directors at a special meeting on Friday discussed financial and operating matters, it was announced, and decided to take no action with respect to the declaration of a quarterly dividend on the six per cent preferred stock of the company for the quarter ended Oct. 31, 1941.

Deanna Durbin Is Suspended by 'U'

HOLLYWOOD, Oct. 19.—Deanna Durbin has been suspended by Universal. Studio officials declared she had refused to play in her next picture and demanded the right to choose her own stories, supporting casts and director. Her contract has three years to run.

'Soldier' Opens Oct. 28

"The Chocolate Soldier," M-G-M film, will open at the Astor Theatre on Broadway Oct. 28, following the current "Dr. Jekyll and Mr. Hyde." The new film will play on a continuous-run policy.

See Circulation Off 15% in News Strike

It is estimated in advertising circles here that the controversy between newsdealers and eight New York daily papers which has kept newspapers off most Manhattan and Bronx news stands for a week, has caused a circulation drop of from three to 15 per cent.

It is understood that advertisers are requesting rebates because of the lost circulation, and it was felt over the weekend that if the strike were to continue a more serious problem on advertising appears inevitable.

Griffis Sale of Para. Stock Is Reported

WASHINGTON, Oct. 19.—Disposition of 500 shares of Paramount Picture common stock held by Stanton Griffis through the N. Griffis Trust, was the largest of several film transactions reported by the Securities and Exchange Commission in its final report of August transactions of corporation officers and directors in the securities of their companies.

The report included a large number of indirect transactions not previously disclosed by Griffis, running back as far as 1937, showing that at the close of August he held 7,500 shares of common direct and 21,000 shares through four trusts.

A report on Loew's, Inc., showed the acquisition of 33 shares of common stock by Charles C. Moskowitz giving him an even 1,000 shares, and acquisition of 33 shares by Joseph R. Vogel, giving him 300.

The only other transactions reported were the acquisition by Radio Keith Orpheum Corporation of 67 shares of Keith Albee Orpheum common stock, giving it a total of 1,205,665 shares, and the acquisition by Attilio H. Giannini of 200 shares of Columbia Pictures common stock, representing his entire interest.

Mayer-Burstyn Set Play

Arthur Mayer and Joseph Burstyn have obtained the rights to H. S. Kraft's play, "Cafe Crown," and plan to start rehearsals shortly.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, Manager; Hollywood Bureau, Postal Union Life Building, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, Manager, cable address "Quigpubco, London." All contents copyrighted 1941 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c

"Ladies in Retirement

EVERYTHING A SHOWMAN COULD WANT!"

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

1201-S

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

R. B. WHITE
PRESIDENT

SYMBOLS

DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

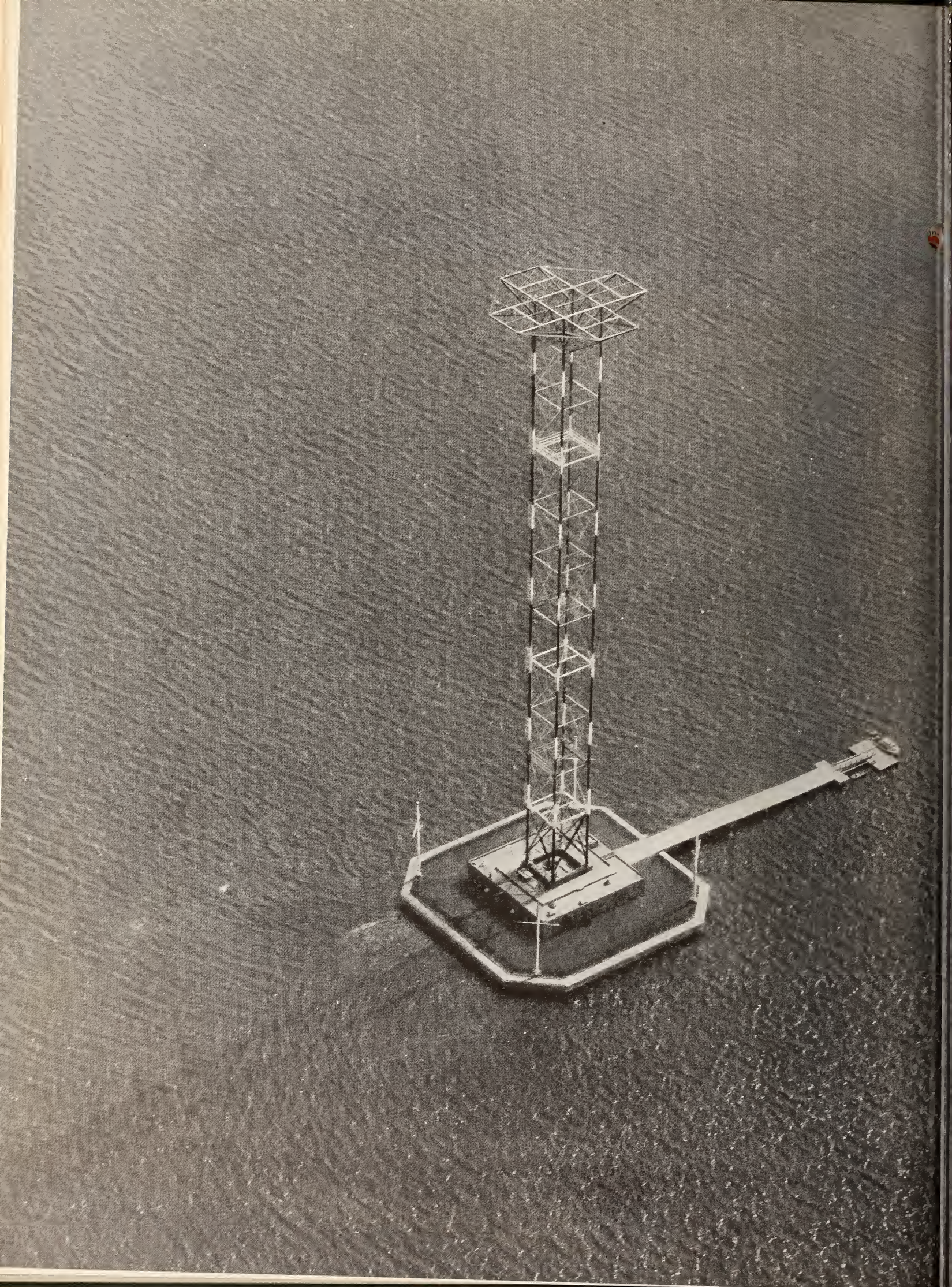
COLUMBIA PICTURES CORP.
NEW YORK CITY

BETWEEN LAUGHS AND GASPS AUDIENCE REACTION TO "LADIES IN RETIREMENT" IS EVERYTHING A SHOWMAN COULD WANT. CRITICS WENT OVERBOARD IN PRAISE. NORMAN CLARK WROTE IN NEWS POST: "'LADIES IN RETIREMENT' IS ONE OF THOSE DRAMAS THAT GRAB YOU BY THE NECK AND GIVE YOU A GOOD SHAKING. YOU MIGHT THINK THERE ARE NO LAUGHS IN IT BUT THERE ARE. HOWEVER THE FILM IS MOSTLY RED MEAT AND STRONG DRINK WITH BRILLIANT PERFORMANCES BY IDA LUPINO AND LOUIS HAYWARD AND GRAND SUPPORTING CAST." GILBERT KANOUR EVENING SUN WROTE: "FORCEFUL SCREEN DRAMA. SURPASSES PLAY BOTH AS ART AND ENTERTAINMENT. WILL CHILL THE SPINE. PULL YOU TO THE EDGE OF YOUR SEAT AND TITILLATE YOU WITH MACABRE HUMOR. MERITS MY HIGHEST AWARD BLUE RIBBON WITH PALMS." AND DONALD KIRKLEY MORNING SUN WROTE: "'LADIES IN RETIREMENT' IS THAT RARE BIRD AN ARTISTIC FILM WITH BOX OFFICE APPEAL. IT LIFTS IDA LUPINO INTO THE FIRST DIVISION OF ONE OF THE SCREEN'S MOST VERSATILE AND GIFTED ACTRESSES. DOES CREDIT TO ALL CONCERNED IN ITS MAKING INCLUDING COLUMBIA STUDIOS."

I M RAPPAPORT MANAGING DIRECTOR
HIPPODROME THEATRE
BALTIMORE



COLUMBIA PICTURES



FOR 15,000,000 LISTENERS

A *mile* from shore, in the middle of Long Island Sound, stands a man-made island—sea-born foothold for a giant tower with a giant's voice. This is WABC's new 50,000-watt transmitter—the perfect voice of radio, serving 15,000,000 listeners as they have never been served in the past. Serving 10,000,000 of them with a signal two to ten times stronger than before!

The secret?

The secret is *that mile*—the most important mile in radio—the mile of salt water which surrounds this engineering miracle *on all four sides.*

That "salt-water-start" for a radio program, that first perfect mile, is like the first perfect skip of a stone—which sends it true and far.

WABC is the only 50,000-watt station on the eastern seaboard with this over-water start in *all* directions—east to both shores of the Sound—south through Queens and Brooklyn—north through New York and Connecticut—west through the heart of Manhattan and the homes of New Jersey.

Key station of the Columbia network, feeding CBS programs to 124 network stations and 120,000,000 listeners from coast to coast—the new WABC delivers those programs to the 15,000,000 *nearest* listeners with new strength, new clarity, new brilliance!

The New WABC, New York

KEY STATION OF THE COLUMBIA BROADCASTING SYSTEM

Hudson Plan Launched by Mich. Houses

(Continued from page 1)

general sales manager; Arthur Kelly, vice-president of United Artists; Claude Lee, director of public relations for Paramount, and representatives of M-G-M.

Branch said he has received invitations from other state groups to attend their meetings and explain the plan.

The campaign will include the use of testimonials by prominent persons outside the industry and is designed to build goodwill for the industry as a whole.

The testimonials will stress the value of films as entertainment and an educational force and the health, comfort, convenience, safety and inspirational values of theatres, Branch explained. This material will be used in advertising in various forms, including trailers on the screen.

Theatres so far enrolled include 135 houses affiliated with Michigan Allied; 105 Cooperative Theatres; Butterfield's 115 and 18 of United Detroit.

Plans were perfected at a meeting here Thursday of a committee headed by Branch and including E. J. Hudson, president, United Detroit Theatres; E. C. Beatty, president, Butterfield Theatres; C. L. Buermele, general manager of Cooperative Theatres, and John McPherson, manager of the Detroit branch of National Screen Service.

Albert Warner to Be Witness Today

(Continued from page 1)

charge of production, are also scheduled to be Government witnesses. Joseph Bernhard, president and general manager of the Warner Circuit; Samuel Carlisle, Warner comptroller and assistant treasurer, and Thomas J. Martin, Warner auditor, are also due to be called by the Government, it was reported.

Two IATSE witnesses, Frank C. Olsen, secretary of the Chicago Theatrical Protective Union, Local 2, and Florence Rose, IATSE main office bookkeeper, testified at the request of the Government Thursday and it is understood that Louis Krouse, general secretary-treasurer, will also be called by the prosecution.

UA May Buy Into Theatre in Detroit

United Artists has taken an option to acquire an interest in the former RKO Downtown, Detroit, from Lester Briggs, owner, it was reported over the weekend. The house was built about 15 years ago as the Oriental. It has been operated intermittently in recent years and has been closed about a year. It seats 2,000 and is located just off Grand Circus Park.

Since announcing plans for acquisition of a national circuit last July, United Artists has acquired a half interest in a San Fran Francisco theatre.

Reviews

"Swamp Water"

(20th Century-Fox)

THIS is a strangely moving melodrama, set in the pictorially beautiful but dangerous Okefenokee Swamp country of Georgia and peopled with the strange but homely families of the Georgia backwoods. Well acted by a cast headed by Walter Brennan and Walter Huston, and directed with grace and skill by Jean Renoir, this production by Irving Pichel has promise of being a critics' pet and a box-office favorite.

Vereen Bell's story was serialized in the *Saturday Evening Post* and published in book form. Added to the fine performances of Brennan and Huston are those of Dana Andrews, Anne Baxter, Virginia Gilmore, John Carradine, Mary Howard, Eugene Pallette, Ward Bond, Guinn Williams, Russell Simpson and a number of others.

Andrews, searching for his dog, enters the swamps against the orders of his father (Huston), and encounters there an escaped murderer (Brennan). After numerous complications, Brennan is cleared of the murder charge.

It is what might be termed a "critic's picture."

Running time, 89 minutes. "G."* EDWARD GREIF

"Small Town Deb"

(20th Century-Fox)

LIGHTWEIGHT entertainment, with no emphasis on drama in story development, but dependent largely upon jitterbug dialogue, this is bright, pleasant program fare which should appeal to all members of the family and particularly those in their teens.

In the lead is Jane Withers, who, as her screen mother comments, is in the "peculiar stage" of life, and is handicapped further by the fact that her mother, sister and brother are in the social whirl and neglect her. Moreover, she has a brace on her teeth and must look at life through heavy-rimmed glasses. As is to be expected, a complete transition sets in, and with the latest in hair-do and glasses and brace set aside, Miss Withers makes the town take notice. A high spot is her amusing imitation of Carmen Miranda singing a South American number.

In featured spots are Cobina Wright, Jr., Jackie Searl, Jane Darwell, Bruce Edwards and Cecil Kellaway, who play their parts well. Harold Schuster directed.

Running time, 72 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

'As You Like It' to Open Here Tonight

Shakespeare's "As You Like It" will be revived at the Mansfield Theatre tonight with Helen Craig in the lead. Ben A. Boyar and Eugene S. Bryden are the producers of the play. Bryden also is the director.

Monroe, N. Y., House Wins Clearance Cut

(Continued from page 1)

the Colonial to seven days. The complaint named Paramount, RKO, 20th Century-Fox and Warners. Paramount, however, was dismissed as a defendant because it has interests in both the Ritz and Broadway and, under the decree, has the right to sell them in any manner. Charles Ballon was the arbitrator.

Uphold Ban on Film

ALBANY, Oct. 19.—The State Board of Regents has upheld a censor board decision banning "They Must Be Told," on the ground that it is "indecent and immoral." The appeal was taken by Cinema Service Corp., which owns the film.

Whitney to Shift Office to Capital

(Continued from page 1)

on matters requiring prompt decision.

He expects to maintain a branch office in New York, but it has not been determined whether Francis Altstock, his assistant, will remain in charge there or come to Washington.

Just returning from a trip in which he covered eight Latin American countries in two months, Whitney is digesting the information he acquired on his tour preparatory to writing reports for Nelson Rockefeller, head of the committee, and the industry. He refused to discuss the trip in advance of those reports, explaining that much of the material gathered is confidential and will need to be studied before he can decide what may be given out.

Rep.-Interstate Deal

Republic has closed a deal on new season product with the Interstate Circuit, Dallas, covering 161 Texas houses. James R. Grainger, president, and Lloyd Rust, Dallas manager, closed the deal for Republic, and R. J. O'Donnell, vice-president, acted for the circuit, it was announced by the Republic home office.

Para. to Seek Decree Outlet For Minnesota

(Continued from page 1)

Minnesota law to disclaim intention of taking action to make possible an early resumption of selling in the state.

The statement that 20th Century Fox does not contemplate resumption of selling in Minnesota "at this time, leaves open the possibility of legal procedure of possibly lengthy duration according to observers. This could be either an appeal from the denial by the state court of the distributors' action for an injunction or a trial of their case to test the constitutionality of the Minnesota law.

Warners, RKO and Loew's revealed earlier that they had no intention of selling in Minnesota under the state law. United Artists, which is not a party to the consent decree but is prohibited from complying with the state law because of its individual sales commitments with its producers, has declared that it will withdraw from Minnesota at the end of this week.

SMPE Opens Fall Convention Today

(Continued from page 1)

Wednesday evening, and will be featured by the awarding of the SMPE Progress Medal and the Society's Journal Award, presented annually. The first is for an important contribution during the year and the latter for the outstanding paper published in the society's *Journal*.

Officers will be elected today, followed by an informal luncheon, at which Newbold Morris, president of the New York City Council, Sol. A. Rosenblatt, attorney, and Francis S. Harmon of the Hays office are expected to speak.

Chairman of the technical committee at the first technical session today is Herbert Griffin, vice-president of International Projector Corp., and executive vice-president of the SMPE.

Allied to Complete Program for Unity

(Continued from page 1)

the disputed third paragraph of the resolution.

Distribution executives here who have endorsed Allied's unity plan expressed the opinion that once Allied's own committee has been authorized to function, it would be well for it to seek the cooperation of other exhibitor organizations in order to make the plan fully representative of national exhibition. This should be done, they believe, before production and distribution participation is enlisted.

Reopen Omaha De Luxe

OMAHA, Oct. 19.—Tri-States' Paramount, 3,000-seat de luxe house dark most of the last five years, will be reopened next Friday, according to A. H. Blank, president of Tri-States. Stage shows and pictures will be the policy.

What's Your Temperature

The motion picture is a business. It seems well to say this, because so much that we may read, hear, and see tends to an impression that it is a fever.

The United States has been built by business, ever improving business—conducted with sane diligence, working for profits and ultimately successful in just the degree with which it has rendered service with a level-eyed policy of producing and selling on terms that have delivered margins of satisfaction at each step from plant to customer—consistently, continuously.

Republic Pictures Corporation is a business.

This corporation was founded for the sole purpose of making reasonable profits for a long time. To make profits for a long time requires a consistent delivery of satisfaction to the customers. That calls for product that can be counted on, so made that it can be sold at prices consistent with the market, delivered on a policy which recognizes the mutual interests of buyer and seller, on the long pull.

Republic intends always to make money out of its customers, and expects to do that always because the customers have taken profits out of Republic product. Six years of Republic experience show that a great many showmen like to buy profits, that more every year recognize sound, staple product made on performance, even if the field does glitter with gilded promises.

Business is the American way of constructive service of the whole people. It is the American way to pay and get what it pays for.

Republic is a business because it serves, enables the theatre to be a business. There is no substitute for profits

REPUBLIC PICTURES CORPORATION

BUY U. S. DEFENSE BONDS

Gala Program Starts WABC Transmitter

Completed at a cost of about $600,000, located in the center of the Metropolitan, Westchester and Long Island population area, completely surrounded by the salt water of Long Island Sound and designed for stronger, steadier signals in this area and along the Southern New England coast, the new WABC 50,000-watt transmitter took to the air at 10:15 Saturday night.

The project represents an unusual engineering feat, as the transmitter could not be erected until an island was first constructed on which it could stand.

A gala program initiated the new transmitter, with London, New York, Hollywood and a number of intermediate cities originating points for the hour-long, star-studded broadcast.

The program was started at 10 P.M. on the old transmitter, and the switch for the new one was thrown during the first quarter hour.

Among those heard on the program were Mayor Fiorello H. La Guardia, Alexander Woollcott, Bob Burns, Kate Smith, Orson Welles, Ed Gardner, Bob Ripley, David Ross and Ted Husing.

McKay Manager of NBC Press Division

John McKay, public relations and special events director for WFIL, Philadelphia, on Friday was named manager of the NBC press division to succeed William Kostka, who resigned a month ago, it was announced by Frank E. Mullen, executive vice-president. Earl Mullin, assistant manager, will continue in the same capacity.

McKay has spent the last eight years as publicity director and public relations counsel for various firms. Previously, he was with the *San Francisco Bulletin* for 10 years, four of which were as political editor and feature writer. McKay is a law school graduate.

Coast Station Will Beam to Far East

Washington, Oct. 19.—Associated Broadcasters, Inc., San Francisco, has been granted a construction permit for a new international broadcasting station to serve the Far East, the FCC has announced.

The station will be the second on the West Coast and is considered so important that the Defense Communications Board urged its construction and the Coordinator of Information has arranged for delivery of a 100-kilowatt transmitter from the General Electric Co. to speed the new service. The station will be on the air from 16 to 20 hours a day.

Off the Antenna

THE first survey reports of radio listening in the first half of October reveal "sets in use" in a sharp upswing, C. E. Hooper reported over the weekend. Return to standard time and the start of the "name" programs apparently were the reason for the increase, Hooper stated. First on the list is Charlie McCarthy with 28.3 per cent. Other ratings are Fibber McGee, 27.7; "Aldrich Family," 25.6; Bob Hope, 25.4; Maxwell House "Coffee Time," 25.2; "Lux Radio Theatre," 22.3; Walter Winchell, 21.4; Jack Benny, 20.5; Eddie Cantor, 17; "One Man's Family," 16.8; "Mr. District Attorney," 16.2; Major Bowes, 15.8; Burns & Allen, 15.3; Rudy Vallee, 15.1, and Kay Kyser, 14.9.

• • •

Purely Personal: *Hugh Kendall Boice, WQXR vice-president in charge of sales, has been named radio chairman for the Committee on Information of the N. Y. Defense Bond Committee. . . . Claude Morris has returned to the KDKA, Pittsburgh, production staff. . . . Mort Fleischl has joined the WMCA sales force. . . . Wyllis Cooper will start writing the script for "Bess Johnson" today.*

• • •

Five Wisconsin stations and one in Michigan joined Mutual last week to bring the total to 190 affiliates. The latest additions are WHDF, Calumet, Mich., 250 watts; WSAU, Wausau, 250; KFIZ, Fond du Lac, 100; WFHR, Wisconsin Rapids, 250 day, and 100 night; WHBY, Appleton, 250, and WHBL, Sheboygan, 1,000 day, and 250 night.

• • •

Program News: North American Accident Insurance Co. will sponsor news over WABC Monday, Wednesday and Friday, 6:55-7 A.M., starting today. . . . Adrienne Ames will be film commentator for WHN at 7 P.M. Tuesday, Thursday and Saturday, starting tomorrow. . . . Baumont Laboratories will sponsor "Don Goddard and the News" Monday, Wednesday and Friday, 12-12:15 P.M. for 20 weeks over WEAF. . . . Planters Nut & Chocolate Co. has renewed "What's On Your Mind" over 14 CBS stations.

• • •

Wrestling Bouts *telecast by NBC from Ridgewood Grove Tuesdays, 9-11 P.M., will be sponsored, beginning Oct. 28, by Adam Hats. The sponsor originally had bought the Ebbets Field boxing bouts but fights have been discontinued there.*

AFRA Names New Executive Board

Election of a new executive board of the New York local of the American Federation of Radio Artists was disclosed Friday following the tabulation of ballots cast at the annual meeting at the Hotel Astor the previous evening.

William Adams, Ted de Corsia, Eric Dressler, Betty Garde, Mark Smith and Ned Wever were reelected from the actors' group and Clayton Collyer, House Jameson and Anne Seymour were the new members. With no opposition in the announcers' group, Ben Grauer, Ken Roberts, Sid Walton and Foster Williams were reelected, with Alun Williams the new member. Among singers, Everett Clark, Gordon Cross, Phil Duey, Felix Knight, Evelyn MacGregor, Alex McKee and Walter Preston were all reelected.

Order Transradio Quiz

N. Y. Supreme Court Justice Louis J. Valente on Friday ordered Herbert Moore, president, and Dixon Stewart and Wallace Q. Quisenberry, vice-presidents, of Transradio Press Service, Inc., to submit to examination before trial on Oct. 21. The order was obtained by Time, Inc., charged by Transradio with libel in its June 24, 1940, issue.

Drop Suit Against CBS

A stockholders' suit against CBS arising from the sale of its concert and artists management bureau was discontinued Friday in the N. Y. Supreme Court by Calvin E. Fritts, plaintiff. No explanation for the withdrawal of the suit was given. Fritts had claimed that the sale price of the bureau was inadequate.

Radio Independents Indorse Ascap Pact

The closing of the Ascap-networks contract, in negotiation for weeks, was advanced materially late last week when terms were approved by the copyright committee of the Independent Broadcasters, Inc.

The newly formed IBI group, which offered the last organized resistance to the Ascap contract, reached an agreement on payments at the source by affiliated stations during conferences Friday with NBC, CBS and Ascap representatives. The IBI over the weekend sent letters indorsing the pact and copies of the new contract to all stations in the country.

Acceptances of the contract by "holdout" stations are expected to be received this week in sufficient volume to permit closing by the networks with Ascap, it was stated.

Personnel Changes Are Made at WFIL

PHILADELPHIA, Oct. 19.—Roger W. Clipp, vice-president and general manager of WFIL, has announced important changes in the personnel of the station. Edward C. Obrist comes in as program director, succeeding James Allan. He is now associated with the Ralph H. Jones Advertising Agency, Cincinnati.

Allan takes over the expanded press department and will handle special events and public service features in addition to public relations. William B. Caskey, now director of sales promotion, will step into the newly-created position of business manager. He will continue to supervise sales promotion.

AFM Strike Against NBC and CBS Ended

The American Federation of Musicians strike against sustaining musical programs of NBC and CBS ended Friday night, when an agreement was reached in Pittsburgh in the controversy between the union and the networks' affiliates, KJAS and KQV. Normal program schedules were resumed Saturday morning. Few shows were affected by the walkout, since most programs on both networks are sponsored.

Plan Two Stations In California; FCC Studies New Plea

WASHINGTON, Oct. 19.—The FC has been asked by Palo Alto Rad Station, Inc., for a construction pe mit for a new 1,370-kilocycle, 1,0 watt station at Palo Alto, Cal.

The commission has granted a co struction permit for a new 1,340-kil cycle, 250-watt station to J. E. Ro man, Fresno, Cal., and authoriz WFNC, Fayetteville, N. C., to chan frequency from 1,370 to 1,450 kil cycles, and increase time from day unlimited, and Station KVOO, Tuls Okla., to increase day power fro 25,000 to 50,000 watts.

Construction Permits Sought

Construction permits for new broa casting facilities were asked by True Kimzoy, planning a 1,400-kilocycl 250-watt station at Greenville, Te and the Aloha Broadcasting Co., Inc planning a 1,340-kilocycle, 250-wa station at Honolulu, Hawaii.

Applications also were receive from WCOA, Pensacola, Fla., fo change of frequency from 1,370 t 1,030 kilocycles and increase of powe from 500 watts night, 1,000 watts da to 10,000 watts; and KDNT, Dento Tex., for increase of power from 1(to 250 watts.

CBS Latin American Web Bows in 1942

With construction of two new 50,000-watt short wave transmitter more than 85 per cent completed, th proposed CBS Latin-American net work will be in full swing "at the out set of 1942," Edmund A. Chester CBS director of short wave broad casting, declared over the weekend.

Chester said that 72 Latin Ameri can stations have signed full affilia tion contracts with CBS and negotia tions for others are under way. The home office staff has been increase from 10 to 50, he said.

The network was scheduled to star operations last month but prioritie prevented completion of the trans mitters on time.

Increases Night Power

SUPERIOR, Wis., Oct. 19.— Statio WEBC has stepped up its night powe from 1,000 to 5,000 watts and has erected a second transmitting tower i addition to other improvements.

DO NOT REMOVE

lert,
telligent
nd
dispensable
o the Motion
icture
dustry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

50. NO. 79 NEW YORK, U.S.A., TUESDAY, OCTOBER 21, 1941 TEN CENTS

wo Awards On Clearance Are Reversed

ppeal Board Decides in Boston, L.A. Cases

The arbitration appeals board sterday handed down decisions ersing the awards of arbitrators two cases, one brought by Lu- n Descoteaux on behalf of his x Theatre, Manchester, N. H., the Boston arbitration board, the ier by O. W. Lewis, owner of e Mission Playhouse, San Ga- iel, Cal., at the Los Angeles ard.

Both cases were clearance complaints. The original awards which were reversed by the appeals board consisted of adjustments made in favor of the complainants.

The appeal in the Descoteaux case as taken by 20th Century-Fox and

(*Continued on page* 10)

reeze Salaries of mployes in Canada

TORONTO, Oct. 20.—The salaries and ages of all employes of theatres and stribution companies, with the ex- ption of those rated as company ecutives, will come under the Gov- nment order requiring the mainte- ance of salaries and wages at rates effect during the four-week period ded Oct. 11, plus a cost-of-living nus fixed by the Government for all orkers in relation to the living cost dex.

Retail prices will remain at fixed vels under Government control start- g Nov. 17 but nothing will be done fix theatre admissions.

The ruling provides that strikes will

(*Continued on page* 10)

Critic Quits, Charges Probe Copy Changed

Don Herold, motion picture critic or *Scribner's Commentator*, rabid isolationist magazine, has resigned from is post because, he claimed, his copy as tampered with to make him look like a Fascist."

According to newspaper accounts, Herold charges that certain comments e had made in regard to the Nye-Clark subcommittee investigation of lleged film propaganda, which appeared in the magazine's November issue, were tampered with. According

(*Continued on page* 8)

Disney Will Delay Andersen Stories

The Hans Christian Andersen stories which he planned to do in conjunction of Samuel Goldwyn may be delayed indefinitely, Walt Disney indicated here yesterday. He said he believes the pictures require a "world market" to be financially successful, and pointed out that today "we are really working for a world market that has been cut in half."

Warners Paid Bioff $100,000 in Cash, Trial Jury Is Told

Warner Bros. paid $100,000 in cash to William Bioff during the years 1936 and 1937, according to the testimony of Harry M. Warner, president, and Albert Warner, vice-president and treasurer, given in Federal Court yesterday during the trial of Bioff and George E. Browne.

David Bernstein, attorney, yesterday served a summons and complaint in a stockholder's suit against 20th Century-Fox and the board of directors for "wasting" the company funds in making payments to Bioff and Browne. The complaint stated that the "exact amount is unknown" and asks for an accounting. Helen Solomon, holder of 200 shares, is plaintiff in the suit which is brought in N. Y. Supreme Court. A number of similar suits against other companies on

(*Continued on page* 11)

MINN. SUES MAJORS ON 'ANTI-5' BREACH

Paramount, RKO and 20th-Fox Are Named In Test Cases Filed by County Attorney; May Take Months to Determine

By ROBERT E. MURPHY

MINNEAPOLIS, Oct. 20.—Test cases designed to furnish the earliest possible ruling on the constitutionality of the Minnesota anti-block-of-five law were begun here today with the issuance of complaints charging Paramount, RKO and 20th Century-Fox with violations of the law.

[Attorneys for distribution companies stated in New York yesterday that the cases probably would require several months to conclude. It was said that the actions, on criminal grounds, should provide more definitive and clear-cut rulings on the constitutionality of the state law than would the injunctive method.

[It was believed that the product shortage already being felt in Minnesota would not be averted by the test cases because of the time required to bring them to a conclusion.]

James F. Lynch, Ramsey County Attorney at St. Paul, issued the three separate complaints which were signed by Harold St. Martin, a deputy sheriff. They were served on defendants here with summonses this afternoon. Those served were Ben Blotcky, Paramount district manager; Louis E.

(*Continued on page* 10)

Gov't Charges U.A. and Univ. Aided Crescent

NASHVILLE, Oct. 20.—United Artists Corp. today was charged in the Government's findings of fact in the Crescent anti-trust case with having "knowingly aided" Crescent Amusement Co. and other defendants in eliminating or suppressing independent theatre competition in three specific locations and in eliminating competition generally by licensing agreements.

Universal Film Exchanges, Inc., the Government claimed, also "knowingly aided" defendants to eliminate

(*Continued on page* 10)

Argentine Steaks Mean More Than Films—Disney

By SHERWIN A. KANE

Pan-American relations would require no hypodermic if more juicy, three-inch thick Argentine steaks, prime cuts from baby beef, could be served in the United States at 50 cents a throw, as they are below the equator, Walt Disney indicated in an interview here yesterday following his return from a two-month goodwill visit to Latin America.

The increasing industrialization of South America promises an expanding market there for motion pictures. Disney is confident. The continent is being rapidly developed and future immigration is certain to be attracted. Disney was highly impressed with the friendliness of the South Ameri-

(*Continued on page* 8)

Allied Will Decide on Unity Plan Tomorrow

PITTSBURGH, Oct. 20.—Adoption by national Allied of the proposed all-industry unity plan will be considered by the board of directors of the national body at a meeting here Wednesday morning, in connection with the convention of Allied of Western Pennsylvania. The regional unit's two-day meeting opens at the Hotel Roosevelt here tomorrow.

Registration will take place tomorrow morning, followed by luncheon in the hotel's Blue Room. An open

(*Continued on page* 10)

Odeon Link Seen In Deal for G. B.

LONDON, Oct. 20.—A closer link between Gaumont British and the Odeon circuit of Oscar Deutsch, two of the largest circuits in Great Britain, is expected as a result of the negotiations now in progress for the acquisition by the owning interests of General Film Distributors of control of Gaumont British.

General Film, financed by Arthur Rank and headed by C. M. Woolf, is

(*Continued on page* 8)

Doubt Probe Group Inquiry on Radio

WASHINGTON, Oct. 20.—Observers believe it is extremely doubtful whether the Nye-Clark subcommittee created to inquire into alleged propaganda in films and radio, will investigate radio. Its emphasis has been on films thus far, and leading observers think that it will so continue until the

(*Continued on page* 8)

Coast Flashes

Hollywood, Oct. 20

BARNEY BALABAN, Paramount president, arriving over the weekend, today addressed a meeting of field exploitation representatives and the studio staff on campaigns for "Louisiana Purchase" and other pictures. Neil Agnew, Y. Frank Freeman, Robert Gillham and B. G. De Sylva participated in the five-day meeting which ended today.

•

Richard McFarland, 73, veteran theatrical figure and one-time London exploitation chief for United Artists, died here last night. He was taken to Hollywood Presbyterian Hospital about 10 days ago by Mary Pickford, an old friend. The funeral will be tomorrow.

•

The Screen Office Employes' Guild, which recently was granted a collective bargaining contract at five studios, has become affiliated with Painters International Brotherhood, AFL, becoming Local 1391. The affiliation was decided by a three-to-one membership vote.

•

Virginia Gilmore today replaced Marjorie Weaver in Republic's "Mr. District Attorney" and "The Carter Case," because of the latter's illness.

Montague, Jackter To Coast Meeting

A. Montague, Columbia general sales manager, is en route to San Francisco to attend the company's third regional sales meeting to be held in that city Friday and Saturday. Rube Jackter, assistant sales manager, left yesterday for the meeting.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
"ALL THAT MONEY CAN BUY"
EDWARD ARNOLD • WALTER HUSTON
Produced by WILLIAM DIETERLE
An RKO-Radio Picture
ON THE GREAT STAGE: "Silk-Satin-Calico-Rags"—Russell Markert's gay colorful revue. Symphony Orchestra, direction of Erno Rapee. 1st Mezzanine Seats Reserved Circle 6-4600

CHARLES BOYER
Olivia DeHAVILLAND | Paulette GODDARD
"HOLD BACK THE DAWN"
A Paramount Picture
PARAMOUNT
IN PERSON
XAVIER CUGAT AND BAND
JAY & LOU SEILER
TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW
ROXY
7th AVENUE 50th STREET

RKO PALACE B'WAY & 47th St.
BETTE DAVIS
"The LITTLE FOXES"
"MOONLIGHT IN HAWAII"
with LEON ERROL

Personal Mention

ROBERT J. O'DONNELL, general manager of Interstate Theatres, left yesterday for Dallas.

•

PHIL LAUFER, in charge of publicity for the Criterion on Broadway and ETTA ISABEL SHORE will be married Nov. 9 at Temple Auditorium, Brooklyn.

•

LESTER POLLOCK, Loew's manager in Rochester, is confined to his home by illness.

•

JOE GOLTZ, United Artists manager in China, is in town.

•

NATALE DIFRANCESCO, owner of the Cheshire Theatre, Cheshire, Conn., is recuperating from an illness of several weeks.

•

HENRY S. WHITE of Paramount left last night for Chicago.

•

MR. and MRS. JACK SHAINDLIN have returned from a vacation in Atlantic City.

THOMAS J. CONNORS left last night for New Orleans.

•

E. K. O'SHEA has returned from a field trip.

•

CLAUDE LEE of Paramount arrives today in Pittsburgh.

•

NATHAN LAMPERT, former New England theatre operator, now of Miami, is visiting in New Haven.

•

JEAN FISHMAN, daughter of HARRY FISHMAN, operator of the Community Theatre, Fairfield, Conn., was married Sunday to Dr. A. ROFFMAN of Fairfield.

•

GLADYS McGOWAN, chief of service at Loew's, Rochester, N. Y., has left to take a position with the Army Ordnance Office.

•

IRVING RAPPER, Warner director, has returned to the Coast from New York.

Nathanson Firm to Handle Rock Films

An Anglo-Canadian film distributing company will be formed in Canada under N. L. Nathanson auspices to handle Canadian distribution of product from the Rock Studio, London, it was learned yesterday.

The new company will be a Canadian affiliate of Anglo-American Film Corp., London. Lou Jackson, head of the latter company, conferred with Nathanson in Toronto last week on the formation of the company. Jackson returned to New York yesterday and is scheduled to leave for England by clipper next Tuesday.

Columbus Club to Hold Party Nov. 11

COLUMBUS, O., Oct. 20.—The local Variety Club will sponsor the RCA-Victor Dance Caravan at Columbus Auditorium, Nov. 11 and 12, at which the orchestras of Tommy Dorsey and Shep Fields will participate. Proceeds will go to the benefit of the club's charities. Virgil A. Jackson, chief barker, is general chairman of the affair.

Republic Will Hold 3 Regional Meets

HOLLYWOOD, Oct. 20.—Regional sales meetings of Republic will be held in New Orleans Nov. 2-3, Chicago 7-8 and New York 12-13, according to James R. Grainger, president, who is now visiting the studio.

Mistaken Identity

Jack H. Levin of the Copyright Protection Bureau declares that he has no knowledge of, or relation to the Jack H. Levin who is the author of the play "Good Neighbor," which opens on Broadway tonight. The two names are identical.

Columbian Club to Dine

The annual dinner and dance of the Columbian Club of Columbia Pictures will be held Friday evening at Ben Marden's Riviera, Ft. Lee, N. J., it was announced yesterday.

Students' Shows for 'Arsenic' and 'Eileen'

The Central Control Board of the New York City School Theatre Program at a meeting at Actors Equity headquarters yesterday scheduled two additional productions for presentation to school children at a nominal admission, Alfred Harding, chairman, announced yesterday.

The plays are "Arsenic and Old Lace," which will be shown at the Fulton at a special matinee Nov. 6 at 10 cents admission for students, and "My Sister Eileen," at the Biltmore, Dec. 1, at 15 cents a ticket.

The first show of the season was "Life With Father." Eight to 12 more such special matinees are planned this season, Harding said.

Carolina Exhibitors Will Meet on Dec. 7

CHARLOTTE, N. C., Oct. 20.—The theatre owners of North and South Carolina will hold their annual convention here Dec. 7 and 8, according to Mrs. Pauline Griffith, secretary. The Hotel Charlotte will be headquarters.

Warners to Screen Shorts Next Week

Warners will hold the second short subject trade screening next week at the company's exchanges throughout the country. The time and place of the screening of the seven new short subjects will be set by each branch manager.

Former Exhibitor Dies

MOBILE, Ala., Oct. 20.—Walter Davis, formerly with the Randolph Theatre, in Randolph, N. Y., and before that with Famous Players Canadian Corp., died at his home here.

Charles Garfield Dead

Charles Garfield, former manager of the Gem Theatre, Far Rockaway, L. I., and brother of Herman Garfield, died last Wednesday, it was learned yesterday.

'Good Neighbor' Is Tonight's New Play

A new play by Jack Levin, "Good Neighbor," will open tonight at the Windsor Theatre. It was produced by Sam Byrd and directed by Sinclair Lewis.

Chicago Sales Club Admits 9 Memb

CHICAGO, Oct. 20.—The Reel ... lows Club, organization composed ... film salesmen working out of loc... exchanges, accepted nine applicants ... their last meeting at the Congre... Hotel, making the membership 62 o... of a possible 65 here.

Date of the club's second annu... dinner dance has been set for Ja... 23, 1942, in the Gold Room of t... Congress. Frank Flaherty of Colun... bia is chairman of the dance com... mittee, assisted by Irving Joseph, R... public, entertainment chairman; Sey... mour Borde, RKO, assistant ente... tainment chairman; Harold Loe... 20th Century-Fox, ticket sales; A. W... Van Dyke, 20th Century-Fox, danc... treasurer, and E. L. Goldberg, Para... mount, publicity. Proceeds of the a... fair will go into the club's benef... fund.

UA Closes Circuit Deals on New Film

A number of circuit deals have bee... closed for the entire United Artist... release schedule for the new seaso... Harry L. Gold, vice-president an... Eastern general sales manager, an... nounced yesterday.

The deals include: Century Circui... Randforce Circuit and Skouras, i... New York; Frank Durkee, Lou Rom... Craver, Gaertner, Bernheimer, Wilde... Garman and Abe Lichtman circuits i... the Washington territory; Wilmer ... Vincent in Washington and Philadel... phia territories, and Affiliated, Varba... low, Chamberlain, Boyd and Greenfiel... circuits in the Philadelphia area.

20th-Fox Shifts Shea

Joe Shea has been transferred fron... the New England field exploitatio... department of 20th Century-Fox t... the home office publicity departmen... by A. M. Botsford, advertising an... publicity director. Ralph Stitt has... taken Shea's place in New England.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MAN,
Ah've seen
Everthing!!

Ah've seen
DIVE-BOMBING STORKS
BRING BABIES!

Ah've seen
BLACK CROWS
CUT A RUG AND SING!

Ah've seen
A CIRCUS-TRAIN
TALK AND BALK!

Ah've seen
A MOUSE THAT
BULLIES PACHYDERMS!

Ah've seen
PINK ELEPHANTS
PARADE AND DANCE!

Ah've seen
A BABY ELEPHANT
FLY WITH HIS EARS!



Man!... ah've seen



THE SCREEN'S GREATEST ADVENTURE IN ENCHANTMENT . . . More story, more thrills, novelties, heart-throbs, hilarity, suspense—more EVERYTHING to make the happy movie millions shout "THE BEST DISNEY WE'VE EVER SEEN!"

D

OPENING EXTENDED RUN ENGAGEMENT



9
TOP TUNES
including the country-sweeping
"BABY MINE"
"WHEN I SEE AN ELEPHANT FLY"
"CASEY, JUNIOR"
"LOOK OUT FOR MR. STORK"
and
"SONG OF THE ROUSTABOUTS"

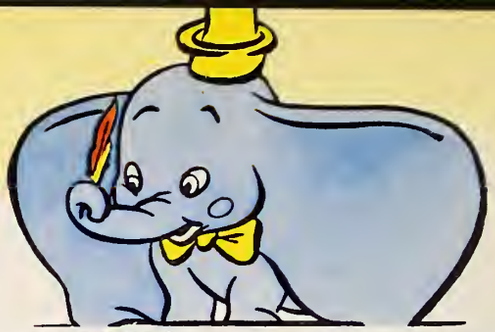
WALT DISNEY'S

3-RING FEATURE IN TECHNICOLOR

DUMBO

ROADWAY THEATRE, NEW YORK, OCTOBER 23.

D



IS FOR DUMBO, THE BABY ELEPHANT WHOSE OVER-SIZE EARS ALWAYS GET HIM IN TROUBLE!

F



IS FOR THE UNIQUE CIRCUS-TRAIN ENGINE, CASEY JUNIOR—THAT TALKS LIKE A HUMAN, BALKS LIKE A MULE!

M



IS FOR TIMOTHY Q. MOUSE, DUMBO'S TINY BUDDY, BRAVER THAN ANY BEAST ALIVE!

B



IS FOR THE 5 BLACK CROWS—SQUAWKING, RAUCOUS COMICS WHO TEACH DUMBO TO FLY BY FLAPPING HIS EARS!

O



IS FOR ORIGINALITY—AS THE ONE AND ONLY DISNEY BRINGS IT IN SONGS, SURPRISE AND LAUGHTER!

© WALT DISNEY PRODUCTIONS

IN TECHNICOLOR

Distributed by RKO RADIO Pictures Inc.

'Truth' Takes $8,400, Best Seattle Gross

SEATTLE, Oct. 20. — "Nothing but the Truth" took a strong $8,400 at the Paramount. "Navy Blues" at the Orpheum was good for $7,500. The weather was colder and rainy. Opening of the Fall concert and opera season offered competition.

Estimated receipts for the week ending Oct. 10:

Sun Valley Serenade" (20th-Fox)
Broadway Limited" (U. A.)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,800. (Average, 4,000)
Lady Be Good" (M-G-M)
Dr. Kildare's Wedding Day" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $6,900. (Average, 7,000)
Our Wife" (Col.)
Harmon of Michigan" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $4,600. (Average, 5,000)
Hold Back the Dawn" (Para.)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 2nd week. Moved from Fifth Avenue. Gross: $3,700. (Average, $4,000)
Navy Blues" (W. B.)
Nine Lives Are Not Enough" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $7,500. (Average, $6,000)
Doctors Don't Tell" (Rep.)
Hurry, Charlie, Hurry" (RKO)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $5,000. (Average, $5,000)
Nothing But the Truth" (Para.)
Henry Aldrich for President" (Para.)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $8,400. (Average, $6,000)

Foxes' Providence High in Good Week

PROVIDENCE, Oct. 20. — With the three-day holiday weekend helping, business was up generally. "The Little Foxes" and "Mexican Spitfire's Baby" did $12,000 at the RKO-Albee and "A Yank in the R. A. F." and "Cracked Nuts" the same at the Majestic.

Estimated receipts for the week ending Oct. 8-10:

"The Little Foxes" (RKO)
"Mexican Spitfire's Baby" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $12,000. (Average, $6,000)
"Smilin' Through" (M-G-M)
"Down in San Diego" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $14,000. (Average, $11,000)
"A Yank in the R.A.F." (20th-Fox)
"Cracked Nuts" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $12,000. (Average, $7,000)
"New York Town" (Para.)
"Flying Blind" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $8,000. (Average, $6,000)
"Private Nurse" (20th-Fox)
FAY'S — (1,800) (20c-33c-44c) 7 days. Stage show with Lya Lys; Joe Termini; Al Jahns and Orchestra; Lester Oman and Company; Bob King; Danny Drayson; Mlle. Vonnia; and Ford, Bowie and Daly. Gross: $6,500. (Average, $5,000)
"The Great Train Robbery" (Rep.)
METROPOLITAN — (3,045) (30c-39c-55c) 3 days. Stage show with Carl Hoff and Orchestra; Tony Russell and the Murphy Sisters; Lou Holtz; Ruth Terry, Erik Rhodes; and the Billingtons. Gross: $5,200. (Average, $5,000)
"Forty Thousand Horsemen" (Krellberg)
"Dangerous Lady" (P. R. C.)
PLAYHOUSE—(1,378) (28c-44c) 7 days. Gross: $2,600. (Average, $2,500)
"Honky-Tonk" (M-G-M)
"Niagara Falls" (U. A.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 3rd week. Gross: $4,000. (Average, $3,500)
"Here Comes Mr. Jordan" (Col.) (3 days)
"Dressed to Kill" (20th-Fox) (3 days)
"When Ladies Meet" (M-G-M) (4 days)
"Dr. Kildare's Wedding Day" (M-G-M) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,900. (Average, $1,700)

Reviews

"South of Tahiti"

(Universal)

Hollywood, Oct. 20

THE names of Brian Donlevy, Broderick Crawford and Andy Devine, plus the adventuresome ring of the title, are the principal assets made available to showmen in this venture.

The three performers named above provide some characteristic entertainment as three sailors who find themselves on an idylic island where pearls are as common as peanuts and tigers behave like house pets. It is for laughs and laughs of an indulgent variety that the picture is played. On the feminine side are seen Maria Montez and Armida as native girls in the sarong tradition, supplying some eye appeal.

Henry Wilcoxon, H. B. Warner, Abner Biberman, Ignacio Saenz and Frank Lackteen are also present, and there are a lot of atmosphere players to fill out the crevices in a story that contains some gag situations which momentarily amuse and some dialogue cracks that spark an audience.

George Waggner is down as associate producer and director, and also as having written the lyrics for the single song number, a multiplicity of credits which may account for his having been kept perhaps too busy to attend to each of his chores as successfully as he might have if concentrating his effort.

Running time, 75 minutes. "G"* ROSCOE WILLIAMS

"Gauchos of Eldorado"

(Republic)

THIS is a well-made film that has plenty of riding and shooting plus more plot than usual for the series western.

The Three Mesquiteers, Bob Steele, Tom Tyler and Rufe Davis, try to help Duncan Renaldo, who is on the way to see his long-lost mother to give her $5,000 needed to pay the mortgage. But he is killed by his former comrades, members of a bandit gang which is trying also to get the ranch because it has deposits of bauxite ore. When the Mesquiteers reach the ranch, the mother believes that Steele is her son. The banker refuses to take the $5,000 as payment for the mortgage after discovering that the money had been stolen. The banker and the gang leader form a partnership to get the ranch. A little boy, the son of the dead man, is held for $10,000 ransom, the reward which the Mesquiteers received. All the gang is finally captured, the boy restored to his grandmother, and the mortgage paid.

Les Orlebeck's direction holds interest and keeps the action moving even though the plot is involved at times. Louis Gray was the associate producer. The cast also includes Lois Collier, Rosina Galli, Norman Willis, William Ruhl and Tony Roux.

Running time, 56 minutes. "G"* M. Q. JR.

**"G" denotes general classification.*

'York' Kansas City Hit, Pulling $12,500

KANSAS CITY, Oct. 20.—"Sergeant York" drew a smash $12,500 at the Orpheum, while "Honky Tonk" was strong at the Midland on a dual with $15,000. The tornado which struck the city hurt grosses during the week.

Estimated receipts for the week ending Oct. 8-10.

"A Yank in the R.A.F." (20th-Fox)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $4,000. (Average, $2,200)
"Honky Tonk" (M-G-M)
"Mystery Ship" (Col.)
MIDLAND—(3,600) (28c-44c) 7 days. Gross: $15,000. (Average, $8,500)
"Hold Back the Dawn" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $6,500. (Average, $7,000)
"Sergeant York" (W. B.)
ORPHEUM—(1,900) (40c-55c) 7 days. Gross: $12,500. (Average, $5,000)
"Great Guns" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Smith, Rogers & Eddy; Tom Swift; Bernard and Jenson, Emil and Evelyn, etc. Gross: $6,500. (Average, $6,000)
"A Yank in the R.A.F." (20th-Fox)
UPTOWN—(2,000) (30c-44c) 7 days. Gross: $5,500. (Average, $4,000)

Adds Upstate House

ALBANY, Oct. 20.—The Harry Lamont Circuit, Albany, has added the Bradley Theatre, Fort Edward, N. Y., to the circuit.

'York' Gets Record $31,200, Pittsburgh

PITTSBURGH, Oct. 20.—Despite unseasonally warm weather and a city-wide hotel strike that caused cancellation of conventions and the like, "Sergeant York" set a new record for Loew's Penn on pictures only, with $31,200. "Belle Starr" pulled $5,100 for the Fulton.

Estimated receipts for the week ending Oct. 9:

"Belle Starr" (20th-Fox)
FULTON—(1,700) (30c-50c) 7 days. Gross: $5,100. (Average, $5,000)
"Sergeant York" (W. B.)
LOEW'S PENN—(3,400) (44c-66c) 7 days. Gross: $31,200. (Average, $13,000)
"Lydia" (U. A.)
RITZ—(800) (28c-39c-55c) 7 days, 2nd week. Gross: $2,500. (Average, $3,000)
"Here Comes Mr. Jordan" (Col.)
SENATOR—(1,800) (28c-39c-55c) 7 days, 3rd week. Gross: $5,100)
"International Squadron" (W. B.)
STANLEY — (3,600) (28c-44c-66c). On stage: Tony Pastor's orchestra, Evelyn Farney, the Maxellos. Gross: $16,000. (Average, $18,000)
"World Premiere" (Para.)
"Down San Diego Way" (M-G-M)
WARNER — (2,000) (28c-44c) 7 days. Gross: $3,500. (Average, $5,000)

'Foxes' a Big Los Angeles Hit, $29,000

LOS ANGELES, Oct. 20.—"The Little Foxes" and "Sing Another Chorus" scored $29,000 at two houses, with $14,500 at the Hillstreet and the same at the Pantages. "Honky Tonk" and "All-American Co-Ed" also was strong at the Chinese and Loew's State.

Estimated receipts for the week ending Oct. 15:

"Honky Tonk" (M-G-M)
"All-American Co-Ed" (U. A.)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. "Co-ed" afternoons only. Gross: $17,000. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 37th week. Gross: $5,500. (Average, $17,000)
"Yank in the R.A.F." (20th-Fox)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $4,300. (Average, $3,250)
"The Little Foxes" (RKO)
"Sing Another Chorus" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $6,500)
"Honky Tonk" (M-G-M)
"All-American Co-Ed" (U. A.)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $19,500. (Average, $14,000)
"The Little Foxes" (RKO)
"Sing Another Chorus" (Univ.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $7,000)
"Hold Back the Dawn" (Para.)
"Buy Me That Town" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, "Dawn," 2nd week. Stage: "Stars of Pomona Fair." Gross: $15,400. (Average, $18,000)
"Sergeant York" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days, 4th week. Gross: $11,100. (Average, $14,000)
"Sergeant York" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days, 4th week. Gross: $13,100. (Average, $12,000)

'Dawn' With $9,000 Leads Minneapolis

MINNEAPOLIS, Oct. 20.—"Hold Back the Dawn" attracted a strong $9,000 at the State, while "You'll Never Get Rich" drew $8,000 at the Orpheum.

Estimated receipts for the week ending Oct. 8-9:

"Hold Back the Dawn" (Para.)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $9,000. (Average, $6,000)
"Here Comes Mr. Jordan" (Col.)
WORLD—(350) (28c-39c-44c-55c) 7 days. 3rd week. Gross: $2,100. (Average, $1,600)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
CENTURY—(1,600) (28c-39c-44c) 7 days, 2nd week. Gross: $4,900. (Average, $4,000)
"World Premiere" (Para.)
GOPHER—(998) (28c) 5 days. Gross: $1,900. (Average, $2,500)
"You'll Never Get Rich" (RKO)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross: $8,000. (Average, $5,500)
"Highway West" (W. B.) 2 days
"Tight Shoes" (Univ.) 2 days
"Mystery Ship" (Col.) 5 days
"Hurry, Charlie, Hurry" (RKO) 5 days
ASTER—(900) (17c-28c) 7 days. Gross: $2,000. (Average, $1,800)

Comforts of Home

Charlotte, N. C., Oct. 20

SERVICE men engaged in maneuvers in the Carolinas, visiting here for the weekend, found more than a welcome at the Carolina Theatre. After the late show, the boys merely rolled over in the aisles and slept for the night, part of the city's effort to take care of the weekend soldier overflow.

Film Probe Scored By Newbold Morris At SMPE Meeting

Declaring that freedom of speech and freedom of the screen are closely interrelated, Newbold Morris, president of the City Council of New York, scored the Senate investigation of the film industry in an address at the opening luncheon of the convention of the Society of Motion Picture Engineers at the Hotel Pennsylvania yesterday.

Morris praised the industry for portraying conditions abroad as they are lived today, and characterized the probe of alleged film propaganda as "ill-considered." He saw in the probe grounds for fear of the survival of American institutions, and expressed the feeling that such investigations could lead to the destruction of democratic processes.

Rosenblatt Demands Inquiry

Sol A. Rosenblatt, administrator of the film industry NRA code and film industry attorney, another luncheon speaker, likewise attacked the Senate probe, calling it "the first Munich putsch against freedom of expression in the United States." He demanded an investigation of the investigation, so that the forces behind the attack might be exposed.

Other speakers at the luncheon were Francis S. Harmon of the MPPDA, who described the manner in which the film industry is cooperating with the War Department in the production of training films for the Army, and Claude Lee, director of public relations for Paramount.

Officers Re-elected

At the elections which featured the opening day's business of the four-day convention, four officers were re-elected as follows: D. E. Hyndman, engineering vice-president; A. S. Dickinson, financial vice-president; P. J. Larson, secretary, and George Friedl, Jr., treasurer. Their terms expire at the end of this year. The terms of other officers do not expire until next year. Members of the board of governors elected include Frank E. Carlson, E. M. Honan and J. A. Maurer, Dr. Alfred N. Goldsmith was elected chairman of the Atlantic Coast Section.

The first of the convention's technical sessions opened yesterday, with a general session in the morning, a general and 16mm. session in the afternoon and another general session in the evening. The meeting was opened with a welcoming address by Emery Huse, president.

Talks on Army Films

The use of films in Army training was described by Lt. Col. M. E. Gillette, in charge of training film production at Fort Monmouth, N. J., and "Film Production for Education" was described by Floyde E. Brooker of the U. S. Office of Education.

Dr. Goldsmith told the evening session of his "increased range" system of film photography. Other papers of the day included mobile television equipment, color television, the development of new photocell equipment, equipment problems of 16mm. photography and other technical phases of 16mm.

Argentine Steaks Mean More Than Films—Disney

Disney Foresees Hard Times Ahead

"Film companies will be lucky to break even during the next four or five years, perhaps," Walt Disney declared in an opinion on world film conditions in an interview here yesterday. "But," he said, "they must keep going and they must stay on top."

(*Continued from page* 1)

can people and came away believing they are "pro-American."

Disney's reactions to the South American nations were uniformly approving, but the penultimate in enthusiasm was released when he spoke of those slabs of beef as big as a table top.

We could send them good pictures in return for the beef, and perhaps fewer "hams." It is better to send a genuinely good American picture without a Latin-American theme than to send one made especially for them which may not please them as well, in Disney's opinion. Nevertheless, he plans to utilize their folklore, dance and musical talent and many of their native animals in a series of about 12 shorts during next year.

Some of the subjects will utilize the Spanish language but all will be made for general distribution, not for Latin America alone. His plans for new feature length films include "Bambi," "Wind in the Willows" and "Uncle Remus."

Disney said there are "great stories" available in South America for films, but that they won't be obtained until Hollywood sends some one down there for them. They must be obtained "first hand," he believes.

Party Marks Disney Return from S. A.

About 200 persons attended a party for Walt Disney upon his return from South America given by RKO and the Disney office at the Waldorf-Astoria yesterday. Among those present were Ned E. Depinet, A. W. Smith, Cresson Smith, S. Barret McCormick, James Mulvey, Jack Alicoate, Sam Shain, Jack Pegler, James Finey, Glendon Allvine, Gus Eyssell, Roy Disney, Phil Reisman, Charles Koerner, Robert Mochrie, David Hopkins, L. E. Thompson, Harry Mandell, Ruth Morrow, Harlan Thompson, Toni Spitzer, Rutgers Neilson, Jack Level.

Odeon Link Seen In Deal for G. B.

(*Continued from page* 1)

expected to purchase the shares of the Ostrer Brothers in Metropolis & Bradford Trust, which controls Gaumont British. The acquisition would give the General Film group a controlling interest in the Gaumont circuit and a larger share in the Gaumont Studios, which currently are controlled by 20th Century-Fox.

It is believed that Mark Ostrer and Woolf would be joint managing directors, while Maurice Ostrer is expected to remain in charge of the Gaumont Shepherd's Bush studio. The remaining 49 per cent of the shares of Metropolis & Bradford are held by 20th Century-Fox. Isidore Ostrer, chairman of Gaumont British, is expected to retire.

It is understood General Film plans no further share interest in the company than is necessary to insure control.

The Tatler Theatre, Gaumont house in the West End of London, which was damaged by bombs during the Nazi attacks of last Spring, will reopen next Monday, with a season of Russian films.

Critic Quits, Charges Probe Copy Changed

(*Continued from page* 1)

to these accounts, Herold charges his copy was changed.

His original copy as written read: "Wendell Willkie is counsel for the motion picture industry in the sessions. Nothing will come of the investigation." The copy, after being changed, according to Herold's charges, as reported, read: "Wendell Willkie, the biggest dud in modern political history, is properly cast as counsel for the motion picture industry in the session. There is a lot of interventionist stuff in the movies, especially in the newsreels, and something should be done about it."

Herold, it is reported, does not believe that at all, and when he read those changed lines it came as a shock to him, particularly because Willkie is considered a close personal friend by him.

Crosby Returns from S.A.

Bing Crosby arrived yesterday on the *Brazil* from a seven-week visit to South America. He plans to leave for the Coast on Friday, with a stopover in Chicago.

Doubt Probe Group Inquiry on Radio

(*Continued from page* 1)

subcommittee concludes its inquiry.

It is also asserted in authoritative quarters that it is the intention of subcommittee leaders not to extend its future sessions over more than a week's duration, following which a report is expected to be made to the full Committee on Interstate Commerce headed by Sen. Burton K. Wheeler.

Sessions will begin on Oct. 27, should Sen. D. Worth Clark of Idaho be successful in obtaining a quorum of members. Otherwise another postponement will be taken.

Eight New Pictures Approved by Legion

The National Legion of Decency for the current week has approved for general patronage all eight of the new films reviewed. The new films follow, all in Class A-1, Unobjectionable for General Patronage: "Dumbo," "Jesse James at Bay," "Lone Rider Fights Back," "Never Give a Sucker an Even Break," "Smilin' Through," "Stick to Your Guns," "Twilight on the Trail," "Two Latins from Manhattan."

'Target' Opens Big On B'way; 'Yank' to Get 5th Roxy Week

"Target for Tonight" is estimated to have taken $6,900 at the Globe Theatre on Broadway, Friday through Sunday, the opening engagement of the Warner feature on the R. A. F. in action.

"A Yank in the R. A. F." will play a fifth week at the Roxy, beginning next Friday, the first to play more than four weeks at the house since "Alexander's Ragtime Band," in August, 1938.

Business Holds Pace

Broadway grosses held up well over the weekend, with excellent Fall weather. The weekend business at the Roxy led to the decision to hold the film, which with a stage show drew an estimated $30,000 Friday through Sunday of the fourth week. The theatre reported it played to 412,091 admissions in 24 days. "Belle Starr" is now scheduled to go in on Oct. 31.

At the Radio City Music Hall, "All That Money Can Buy" and a stage show drew an estimated $59,000 Thursday through Sunday of the first week, and will be replaced Thursday by "You'll Never Get Rich." The Paramount reported an estimated $20,000 for Saturday and Sunday, with an expected $41,000 for the week ending tomorrow night, for "Hold Back the Dawn" and Xavier Cugat and his orchestra, which will complete its third week tomorrow. It will be followed by "Nothing But the Truth" and a stage show featuring Johnny Long and Larry Adler and their orchestra, and the Andrews Sisters.

'Soldier' Opens Oct. 31

"Sergeant York," playing at the Strand with Phil Spitalny and his orchestra featuring the stage show, took an estimated $26,000 Friday through Sunday. "This Woman Is Mine" at the Rivoli drew an estimated $16,000 for the week ending last Friday. "The Chocolate Soldier" will open at the Astor Theatre on Oct. 31 instead of Oct. 28, as originally scheduled.

Closing Ascap-Nets Pacts Due Thursday

Closing of the new Ascap license agreements with NBC and CBS ending the nearly 10 months old radio-music war is tentatively scheduled for Thursday, radio officials indicated yesterday.

Formal closing is contingent upon the receipt of a sufficient number of acceptances of the pact from independent affiliated station operators, but no difficulty in obtaining the required number is anticipated by officials in view of the endorsement given the new contract by the copyright committee of Independent Broadcasters, Inc., last Friday.

Cut Chicago Prices

CHICAGO, Oct. 20.—Warners have reduced the Saturday and Sunday matinee admissions at the Stratford Theatre. Saturday prices, previously 30 cents plus tax until 6 P. M. now are 25 cents plus tax. The Sunday admission was 40 cents plus tax all day. An early bird price of 30 cents plus tax is now in effect from 12 noon until 2:30 P. M.

PHILADELPHIA, ON FRIDAY, SATURDAY, SUNDAY, DOES A FULL WEEKS BUSINESS OF "CHARLEY'S AUNT"!

SAN FRANCISCO BEATS "A YANK IN THE R.A.F."!

Week-End in Havana

--and what a Week-End!

CHICAGO BIGGEST FRIDAY! BIGGEST SATURDAY!! BIGGEST SUNDAY!!! (at B-K's Roosevelt)

CINCINNATI Business 137% Which is right up there with "Charley's Aunt" and "Sun Valley Serenade" and "Yank"!

ST. LOUIS TOPS THE TOP-MONEY OF "SUN VALLEY SERENADE"!

20th CENTURY FOX

It's in Technicolor! It's From 20th! IT'S TERRIFIC!

Two Awards On Clearance Are Reversed

(*Continued from page* 1)

State Operating Co., a subsidiary of the Shea Theatres which operates five houses in Manchester and which intervened in the case. The five consenting companies named in the complaint granted clearances to the State company's houses varying from 81 to 102 days over complainant's houses. Reductions in these clearances were made by the arbitrator.

In reversing the arbitrator's award and assessing costs against complainant, the appeals board stated: "We are constrained to find that the proof offered by the complainant is inadequate to show that the existing clearance applicable to his theatre is unreasonable. It is essential that such unreasonableness should appear by sufficient proof before any award can properly be made revising clearance."

The appeals board also points out in its decision that the arbitrator reduced the clearance "although he has not specifically found that any one of the particular existing clearances, or the aggregate of all clearances between the intervenor's first run and the complainant's fourth run, is unreasonable."

The Shea interests were represented on appeal by the New York law firm of O'Brien, Driscoll & Raftery. Descoteaux was represented by George S. Ryan, Boston attorney. It is believed conceivable that costs in the case will run as high as $700.

In the Mission Playhouse case, the appeals board held that the arbitrator was without authority under the consent decree to change the theatre's clearance with respect to the Rosemead and Garvey theatres inasmuch as the award had the effect of extending the clearance to which the latter houses already were subject.

The board ruled that under the decree an arbitrator may do no more than determine whether clearance is reasonable or unreasonable and, if the latter, to fix the "maximum" clearance which may be granted. This means, the board held, that clearance may be reduced but not lengthened, because Section 8 of the decree guarantees exhibitors the right to any clearance they are able to negotiate and distributors are willing to grant. This right was abridged by the award insofar as the Rosemead and Garvey were concerned, the board ruled.

"Since the three theatres are competitive," the appeals board held, "the award plainly restricts the right of distributors to grant and an exhibitor to negotiate for a run. The arbitrator lacked jurisdiction to make such an award under Section 8."

The two reversals are the first to be made on the merits by the appeals board in the eight cases it has ruled on to date.

Promoted by Circuit

SAN FRANCISCO, Oct. 20.—William Mason, former district manager in Eureka for the statewide Mann Circuit, has been named assistant general manager, under owner George Mann. He replaces D. P. Isabella, who resigned to operate the Vacaville Theatre in Vacaville.



Hallowe'en Curfew

New Richmond, O., Oct. 20

ACTING on the request of the City Council, Mayor William H. Frye has ordered the ringing of a curfew bell at 7:30 each evening from now until Nov. 15, by which hour all children under 16 years of age must remain off the streets unless accompanied by their parents or bearing notes from parents granting them permission to perform errands.

Enforcement of the 1938 curfew law is to "avoid undesirable Hallowe'en" activities.

Gov't Charges U.A. and Univ. Aided Crescent

(*Continued from page* 1)

independent competition in Union City, Tenn.

The Crescent Co., in its proposed finding of fact and conclusions of law, also filed today in Federal Court here, maintained that testimony of independent exhibitors regarding oral or written communications with distributors was incompetent "against the defendant exhibitors either on the issues of conspiracies between them and the distributors or on the issue of a conspiracy or combination among themselves."

Unfair Practices Charged

"Such evidence," the Crescent filing declared, "cannot be regarded by the court for any purpose in the absence of prima facie proof of a conspiracy or conspiracies by competent evidence, and there is a total dearth of such evidence in the record."

United Artists' licensing agreements with defendants, the Government findings state, presumably referring to 73 and 61-situation deals, "fix a flat sum for all of the situations operated by all of said defendants and show on their face that no consideration whatsoever was given to the rentals which competing independent theatres could pay for these films."

Crescent asked the court to conclude that after films arrive at the point of delivery, "the showing of the pictures and operation of the theatre is purely a local matter," and in no way is an interference in interstate commerce, or a monopolization of the distribution of films.

Claim Lack of Evidence

The Government charged that Crescent and four other exhibitors have engaged in predatory practices such as price cutting, opening "fighting theatres" and interfering with attempts of other exhibitors to open theatres in order to eliminate and prevent independent competition and to acquire additional theatres.

The defendant exhibitors, the Government findings stated, "have now secured such complete control over the business of operating theatres in the area they now occupy that no genuine competition may be reasonably expected in this area in the future unless that control is eliminated."

Three Majors Sued on Minn. Anti-5 Breach

(*Continued from page* 1)

Goldhammer, RKO district manager, and J. M. Podoloff, 20th Century-Fox district manager. They are scheduled to appear Wednesday morning in St. Paul Municipal court for preliminary arraignment.

Lynch said RKO and Paramount are accused of making deals with a theatre in White Bear Lake, a St. Paul suburb, while 20th Century-Fox's alleged deal was with the Gem, St. Paul. RKO is accused of offering 10 pictures, and Paramount and 20th Century-Fox five pictures each in deals in which no provision was made for 20 per cent cancellation. He said agreements were signed in each case and sent to New York for approval.

It was not stated whether the deal actually had been approved and accepted by New York.

The investigation leading up to the issuance of the complaints was conducted by Lynch's office and that of Thomas J. Gibbons, Ramsey County sheriff, after the companies were warned they would be prosecuted if they sold pictures under any system other than that prescribed by the state law, which calls for the offering of an entire season's output with the cancellation privilege.

Although distribution branch offices here indicated that they were aware the complaints were in preparation, news of their issuance apparently was a complete surprise to local exhibitors, including Northwest Allied officials who sponsored the state law. Fred Strom, secretary of Northwest Allied, said the organization had no knowledge of Lynch's plans. He said a meeting of the executive and legislative committees would be called within a day or two to discuss the situation.

Allied Will Decide on Unity Plan Tomorrow

(*Continued from page* 1)

meeting in the afternoon will be addressed by H. M. Richey of M-G-M. A party will be held tomorrow night in the Marine Room. A closed session and the election of officers is scheduled for Wednesday afternoon, followed by an open meeting which will conclude the convention.

Freeze Salaries of Employes in Canada

(*Continued from page* 1)

no longer be effective because wages will continue on a standard basis. Overtime pay and wage increases for promoted employes will be allowed and a wage earner will not be prevented from changing his employment to improve his position.

Premiere for Navy

Proceeds of the opening of "How Green Was My Valley" at the Broadway Rivoli on Oct. 28 will go to the Navy Relief Society. High ranking naval officers are expected to attend.

WB Paid Bioff $100,000 Cash, Jury Is Told

(Continued from page 1)

the same grounds have been brought.

Both Warner executives testified that they feared the consequences to their business if they refused the payments and the Warner president stated that he was in fear of bodily harm as well. The testimony set forth that Bioff was making his collections on behalf of other persons.

Albert Warner started the day with a description of how Bioff came to his office shortly after the basic pact meetings in April, 1936. Warner, who said he was substituting for his brother at the meetings, told of a previous conversation with Nicholas M. Schenck, president of Loew's, and that he knew the purpose of Bioff's visit when the latter came to his office.

'Peanuts,' Said Bioff

Warner said he told Bioff that he could not raise $50,000 in cash and offered payments of $10,000 but that Bioff protested that it would be "peanuts" by the time "it was split among the boys." However, the arrangement for partial payments was effected, Warner said, and Samuel Carlisle, Warner comptroller, was instructed to raise the funds through expense vouchers. In May, 1936, Warner said, he obtained $10,000 in cash from Carlisle, placed it in an envelope and told Bioff to pick up the envelope from the secretary's desk as he left the office.

Additional sums of $10,000 each were given in the same manner in August and December of the same year and the next February Carlisle was instructed to give Bioff $20,000, Warner testified.

Wanted $50,000 More

Warner stated that he protested when Bioff asked for an additional $50,000 in April, 1937, but that he was compelled to accede. The same procedure was followed at that time as for the first payments and again in May or June, 1937, except that the amounts paid were $15,000 each. Browne was present during one of the payments, Warner declared. He said that the company was in "bad financial shape" at the time, having lost $30,000,000 during four years of the depression and that he had no choice but to yield.

Felt Responsibility

Under cross-examination, by George Breslin, Bioff's attorney, Warner told how Schenck had advised him of the necessity of making the $50,000 payments. At first he demurred, Warner said, pointing out that he could not take the responsibility with Harry Warner in Europe.

"I took the responsibility for my company and you'll have to take it for yours," was Schenck's response, according to Warner.

He testified that he did not tell his brother until the end of 1936 and when Harry Warner asked the reason for the delay, explained that he did not wish to add to his existing troubles. He testified that he found the whole proceeding "obnoxious" and denied that he had social dealings with Bioff but added that he did not tell Government authorities about the proceedings because "I was very much scared."

The Warner president took the stand late in the afternoon to tell how he had first learned of the situation. He had a voucher issued for $7,5000 to P. A. Chase, the West Coast comptroller, who sent the cash by express to Carlisle. The voucher set forth that it was on account of Christmas presents.

'The Boys' After Bioff

In November, 1937, Warner said, he was visited by Bioff who pointed out that there had been a one-day strike at Columbia and that Warners had not paid the additional $20,000. Bioff said that the "boys are after him for it," Warner continued, and that the people in Chicago got most of it.

Warner said he didn't make the payment until December, 1937, when Bioff protested that his people needed the money for Christmas. He said he issued a voucher for $5,000 marked for "sundry Christmas donations" and took an additional $2,500 from the petty cash account but when he gave it to Bioff the latter said it was "chicken feed." Bioff refused to take the money in Warner"s office and insisted on taking it outside, the witness said. Bioff called again the day after New Year's and was given an additional $12,500 made up from a $10,000 voucher and $5,000 received in cash by express from Carlisle, he testified. Of the latter amount, $2,500 was returned to the petty cash account, Warner declared.

Asked why he made the payments, Warner responded: "I was scared that several things would happen. One, that he would close up the business. Two, I was afraid of bodily harm."

Cross-examination by Breslin centered about social relationships between the witness and Bioff. Warner said he had never met Bioff before the demand for the money and denied any social relationships. He admitted that the foreman of his ranch had purchased alfalfa from Bioff but said this was purely a routine matter as was another favor extended by the foreman. Bioff and Mrs. Bioff were guests at the ranch one evening to see a film Warner thought he should see, according to the testimony, but there were no other social visits.

Mutual Defends FCC Regulations

Defending the recent FCC network monopoly regulations, Fred Weber, Mutual general manager, yesterday declared that "Mutual expresses confident and unreserved belief that the revised regulations will not only not have the harmful effects ascribed to them, but will benefit the radio industry, the public and the advertiser."

Weber warned network affiliated stations to refrain "from any commitments which will bind them to a course of action inconsistent with the regulations after Nov. 15 (the effective date) including the exercise by networks of their existing 28-day options." He said that since less than 28 days will elapse by Nov. 15, "stations may rightly abide by this principle effective immediately."

This statement was contained in a 20-page brochure titled, "Mutual's Second White Paper," and was signed by Weber and approved by W. E. Macfarlane, president, and Alfred J. McCosker, chairman of the board.

Weber hailed the new regulations as inaugurating "an area of fair and equal competition so that in the future the success of a network will depend not on artificial restraints and unreasonable control over station independence but on its ability to furnish superior service to its affiliate stations, to the public and to the advertiser."

New Toledo House Opens

TOLEDO, O., Oct. 20.—The Colony, new local house, has opened. Costing an estimated $350,000 the theatre seats 1,800.

Commercials Show NBC-Blue Increase

An increase of 27.8 per cent in the number of station-hours sponsored over NBC-Blue this year over the same period in 1940 was reported yesterday by Edgar H. Kobak, vice-president in charge of NBC-Blue sales. Kobak stated that this year's total was 1,443 as against 1,131 in 1940 and that the average of stations used per program is 57 this year, compared with 38 last year.

New accounts on the network total 22, as compared with 10 in 1940, Kobak said.

Free Admission for Service Men in S. D.

Sioux Falls, S. D., Oct. 20.—Theatre managers here, as well as managers at Aberdeen, Mitchell and Madison, are cooperating in a new plan to give courtesy passes for service men.

Soldiers and sailors are admitted free to theatres, football games, bowling alleys and ballrooms upon showing the passes, which are issued by the Junior Chamber of Commerce. The free admission includes two persons.

FCC Power Will Be Defined in New Law

WASHINGTON, Oct. 20.—Legislation revising the Communications Act to define more clearly the powers and the limitations on the authority of the FCC will be taken up in Congress for consideration almost immediately following the opening of the new session in January.

Decision to defer the legislation until next year was reached at a meeting of the House Interstate Commerce Committee, which agreed to call hearings on the subject sometime after Jan. 15.

Legislation modernizing the Communications Act is pending in both House and Senate, with interest revived by the new network regulations issued some days ago by the commission and the announced intention of CBS and NBC to contest them.



ASK YOURSELF THIS QUESTION:

What Would 50 to 100% More Screen Light Mean For My Theatre?



● Theatre managers who have adopted High Intensity projection know that the increased screen light means

IMPROVED PICTURE QUALITY
BETTER AUDIENCE RESPONSE
INCREASED ATTENDANCE
MORE PROFIT

The new "One Kilowatt" High Intensity arcs supply 50 to 100 per cent more screen light than low intensity lamps at practically the same operating cost. Initial cost is also low.

Ask your dealer to give you the figures and a demonstration of this modern projection light.

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

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The sixty year record of "National" carbons is one of steady progress and improvement. Further progress and continued leadership in the Motion Picture Industry are assured by constant research and an intensive development program.

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First in Film and Radio News Brief, Accurate and Impartial

...50. NO. 80 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 22, 1941 TEN CENTS

...orced to Be ...Friendly with ...Bioff: Warner

...ustin Keough to Testify At U. S. Trial Today

"I considered Mr. Bioff a man ...o shook our company down for ...00,000. For the power that he ...d—as a matter of good business— the surface at least—I had to ... on good relations with him."

In those words, Harry M. War..., president of Warner Bros., ...plained in Federal Court yester...y during the trial of William ...off and George E. Browne, why ... maintained a friendly relation...ip with Bioff.

Warner continued, however, with a ...cital of how he took precautions ...ainst bodily harm when he was try...g to delay an answer to Bioff's ...mand for $20,000. This, according ... Warner, took place immediately

(Continued on page 13)

...V.B.Appeals Newark ...ward on Clearance

Warners and the Stanley Co. yes...rday filed a notice of appeal to the ...ational appeals board from the arbi...ration award in the Paustan Enter...rises clearance case at the New York ...oard. The appeal is the 16th to be ...led.

Paustan, operating the West End ...heatre, Newark, on Oct. 1 received ...n award reducing the clearance over ... held by the Ritz and Broadway,

(Continued on page 14)

15 Pa. Towns to Vote On Sunday Pictures

Philadelphia, Oct. 21.—The Sunday film question will be decided in only 15 communities in Pennsylvania at the Nov. 4 election. Rules for the referendum were changed at the last session of legislature with the result that 20 per cent of the electorate vote is required to file a petition, which accounts for the small number of towns bringing the matter to the voters this year. Previously, only five per cent of the registered voters were required to file a petition.

United Front, Taxes Are Major Issues, Myers Tells AMPTO

By MORT FRANK

FITTSBURGH, Oct. 21.—Three major issues face exhibitors between now and next June, the deadline for continuing the industry consent decree, Abram F. Myers, chairman and general counsel of Allied States, told the Allied M. P. T. O. of Western Pennsylvania in convention here today.

These issues, he said, are: "1. Shall we unite all trade organizations on a common front for solving problems arising from the consent decree? 2. Should the influence of organizations such as Allied be exerted toward conferring with the distributors on new selling methods? 3. Taxation."

Myers also held that "this seems to be the pattern for the future conduct of exhibitor organizations: they can justify their existence if they can save exhibitors from excessive taxation, if

(Continued on page 13)

Kosiner Named Aide To Haskell Masters

Harry Kosiner, Eastern representative for Walter Wanger for many years, has been appointed executive assistant to Haskell M. Masters, United Artists Western sales manager.

Kosiner will assume his new position on Nov. 15, when Wanger's New York office will be closed.

Skouras, Century Extend Pooling Deal

A 17-year extension of the existing pooling arrangement involving approximately 20 Century Circuit houses, mostly on Long Island, with a comparable number of Skouras Theatres houses has been closed, it was learned yesterday. The current arrangement has nearly three years to run. The renewal agreement extends the arrangement for another 20 years.

Delay Decision on UA President Until Meetings on Coast

Selection of a president for United Artists will not be made by the company's owners for some time, it was learned yesterday from official sources.

The selection will be made in the course of meetings to be held on the Coast following the return to Hollywood of Mary Pickford and David O. Selznick in about a week.

The meetings, originally scheduled to be held here, have been called off due to the inability of Charles Chaplin to come East for the sessions and owing to Alexander Korda's produc-

(Continued on page 14)

Critics on Coast Upset Press Previewing Rules

By ROSCOE WILLIAMS

HOLLYWOOD, Oct. 21.—Uncertain whether to be angered or amused, but deciding by nightfall in favor of the latter, Hollywood's 300 resident correspondents awoke this morning to discover that Edwin Schallert and Virginia Wright, motion picture editors of the Los Angeles *Times* and Los Angeles *News*, respectively, had reviewed "How Green Was My Valley," 20th Century-Fox picture, in today's editions, although the film is not scheduled for trade showing until Oct. 28.

Disbelieving their eyes they read and re-read the Schallert explanation that his 250-word hymn of praise and prediction for the picture was "in no sense a preview of the picture." Ditto Miss Wright's concluding remark, ending a 250-word rhapsody describing the film as "undisputed contestant for the Academy award this year,"

(Continued on page 3)

Arthur Not to Drop Triples in St. Louis

ST. LOUIS, Oct. 21.—Harry C. Arthur, Jr., vice-president of Fanchon & Marco, has said here that he has no intention of discontinuing triple features, used in several of the neighborhood houses F & M operates for the St. Louis Amusement Co.

Arthur likened triple bills to large Sunday newspapers and said patrons may see as much of the program as they like. He declared triples have been popular here.

To Ask Arnold Appearance in Senate Probe

Committee Will Decide on Hearings Next Week

By BERTRAM F. LINZ

WASHINGTON, Oct. 21.—Assistant Attorney General Thurman Arnold will be invited to appear before the Senate propaganda investigation subcommittee when hearings are resumed early next month, it was disclosed today by Chairman D. Worth Clark of Idaho. Clark said he intended to call his group together as soon as Senator Tobey of New



Thurman Arnold

(Continued on page 14)

Fox Sentenced to One Year in Prison

PHILADELPHIA, Oct. 21.—William Fox, motion picture pioneer and star witness for the Government in the conspiracy trials of Federal Judge J. Warren Davis, was sentenced today to serve a year and a day in Federal prison and was fined $3,000 for conspiracy to obstruct justice and defraud the Government during his bankruptcy.

Martin Littleton, attorney for Fox,

(Continued on page 14)

Donovan Reports on Propaganda Abroad

Washington, Oct. 21.—Col. William J. Donovan, Coordinator of Information, today made a first-hand report to President Roosevelt on the European propaganda situation. As Coordinator of Information, he has for some weeks been engaged in an exhaustive study of Nazi-Fascist propaganda directed at the United States by radio, press reports, motion pictures and other media.

Coast Flashes

Hollywood, Oct. 21

GEORGE J. SCHAEFER, president of RKO, is expected to fly back to New York today in order to be on hand for home office conferences tomorrow.

•

Merchandising plans for "Sullivan's Travels," "The Remarkable Andrew" and "The Great Man's Lady" were discussed today by Paramount executives at the final session of a field exploitation men's meeting at the Hotel Ambassador. The field men left for their posts tonight.

•

Darryl F. Zanuck plans to leave Sunday by American Airlines for New York to attend the opening of "How Green Was My Valley." It is expected also that Zanuck will testify in the Browne-Bioff trial.

•

Cary Grant will be starred with Ginger Rogers in RKO's "Arms and the Man" to be produced by Gabriel Pascal, it was announced today. Oscar Straus has been signed to compose the music. The Grant-Rogers deals are apart from the former's commitment for one picture and the latter's for two at RKO.

•

Bette Davis flew today to Minneapolis, where her husband, Arthur Farnsworth is reported critically ill of pneumonia.

Personal Mention

WATTERSON ROTHACKER, Hollywood vice-president of Quigley Publications, is in town from the Coast.

•

JULES LAPIDUS, Universal district manager, left yesterday for Boston, and is due back on Thursday.

•

NORMAN LEWIS, Philadelphia exhibitor, is recuperating at his home after a recent illness.

•

CHAUNCEY B. NELSON, personnel director of Fanchon & Marco in St. Louis, has taken a leave of absence to direct Berkeley Hall, prep school at Beverly Hills, Cal. He will return to his post next July 1.

•

HERMAN SCHUSTER, former operator of the Grant, Philadelphia, will move to Miami.

•

JOSEPH PHILLIPS, assistant at the Strand in Scranton, has been drafted.

WALTER WANGER has postponed his planned trip to England and is remaining in New York.

•

DAVID WEINSTEIN, manager of the Cedar, and ROBERT ZIMMERMAN, manager of the 56th St., Philadelphia, have been appointed sector wardens in conjunction with civilian defense.

•

IRVING COHEN, Paramount home office attorney, left for Detroit yesterday.

•

STANLEY J. MAYER, 20th Century-Fox exchange manager in Des Moines, has returned to his office after a brief illness.

•

SAMUEL GROSS, 20th Century-Fox Philadelphia branch manager, will lead the Red Cross drive there this year.

•

HAROLD WEISENTHAL, Universal booker in Philadelphia, recently became the father of a daughter.

Moneyhun Is Named Botsford's Assistant

Frank Moneyhun yesterday was appointed executive assistant to A. M. Botsford, director of advertising and publicity of 20th Century-Fox. Moneyhun joined the advertising department of the company in January, 1939, and has been handling pressbook, cooperative and national magazine advertising. He has been in theatre work since 1922, when he was assistant advertising manager of the Orpheum Circuit.

'Love on the Dole' Acquired by U. A.

"Love on the Dole" has been sold to United Artists for U. S. and Latin American distribution by Lou Jackson, head of Anglo-American Pictures, London.

The deal is the second to be closed by the two, the U. S. and Latin American rights to "Pimpernel Smith" having been sold to United Artists earlier. Canadian distribution rights to the pictures are not included. These rights will be turned over to the new Canadian company which Jackson is forming in association with N. L. Nathanson.

1,000 Attend Annual Boston Film Frolic

BOSTON, Oct. 21.—Close to 1,000 persons were in attendance at the annual Motion Picture Frolic held at the Hotel Bradford last night.

The evening program included entertainers from the various night clubs and Vaughn Munroe and his orchestra who played for dancing. Jack Martin was general chairman of the committee in charge which included Clara Decone, Lorretta Duffy, Alvin Fucillo, Bertha Harris, Elmer Foster, Matthew Moriarty, Michael Hochberg, Samuel Eisenberg and Joe Barrilla.

St. Louis Bill to Tax Grosses Is Killed

ST. LOUIS, Oct. 21.—A bill providing for a one per cent tax on gross receipts of theatres in St. Louis was killed by the Legislative Committee of the Board of Aldermen by a unanimous vote.

In Canada Circuit Post

TORONTO, Oct. 21.—Meyer Axler, secretary of the Independent Theatres Association of Ontario and official of the Exhibitors Booking Association, has been appointed director of the maintenance and purchasing department of 20th Century Theatres, a subsidiary of Famous Players Canadian Corp.



5 COOL, COMFORTABLE WAYS TO GO TO

LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:55 pm and 5:10 pm 1:31 am and 1:27 am 7:52 am and 7:37 am
THE PLAINSMAN	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:10 pm 1:20 am 7:44 am
THE SOUTHERNER	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	11:15 pm 8:24 am 3:12 pm
THE SUN COUNTRY SPECIAL	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	6:45 am 4:41 pm 12:45 am

For reservations, call your Travel Agent or HAvemeyer 6-5000.
Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Newsreel Parade

THE newsreels in the midweek issues concentrate on U. S. operations in guarding Iceland, and on reactions to the damage to a U. S. destroyer by a Nazi submarine. On the home front, the visit here of the Duke and Duchess of Windsor and leading football games capture attention. The contents:

MOVIETONE NEWS, No. 13—U. S. defense convoy arrives to guard Iceland. News of the war in England. Prisoner exchange halted. U-boat captured by plane in the Atlantic. New hurricane fighter plane provides power. Skating fashions. The aircraft carrier Hornet commissioned at Norfolk. Navy-Cornell, Penn-Princton football.

NEWS OF THE DAY, No. 211—Kearny torpedoing stirs Navy; Knox lauds heroes victims. At sea with U. S. convoy troops guarding Iceland. Prisoner exchange stopped. R. A. F. blast German warship. Navy-Cornell, Georgia-Columbia football games.

PARAMOUNT NEWS, No. 16—21 U. S. sailors casualties on torpedoed Kearny. Congress acts, as Republican Senators urge repeal of Neutrality act. American convoy en route to Iceland, and German Navy films U-boat in action. Marines and U. S. Army forces on duty in Iceland. Windsors visit Naval Academy; Duke inspects C. C. C. tours Manhattan. Navy-Cornell, Michigan-Northwestern, Princeton-Pennsylvania football games.

RKO PATHE NEWS, No. 16—Carrier Hornet ready for U. S. Navy. U. S. forces guard Iceland base. Windsors here on N. Y. visit. Shipyards at Newport News, Va., and Portsmouth, N. H., rush new battleships. U. S. and Britain launch new planes. British-Nazi prisoners' swap fails. Girdiron highlights of Michigan-Northwestern, Navy-Cornell games.

UNIVERSAL NEWSREEL, No. 25—Convoy to Iceland. On the war front—repatriated prisoners, the Sterling bomber, British hurricanes, captured U-boat. Justices visit White House. Windsors in N. Y. Football highlights—Georgia-Columbia in N. Y. Navy-Cornell in Baltimore; Michigan-Northwestern in Evanston, Ill.

Newsdealer Strike Settlement Reached

Settlement of the controversy between eight daily newspapers and Manhattan newsdealers, which kept those papers off most newsstands in the city for more than a week, was announced yesterday afternoon by Mayor F. H. LaGuardia. The sale of papers was resumed immediately. A compromise was reached, and after a three-day recess negotiations are to be resumed to settle final details.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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New Anderson Play Is Opening Tonight

The new Maxwell Anderson play, "Candle in the Wind," staged by Alfred Lunt, and starring Helen Hayes, will open tonight at the Shubert Theatre. It is a presentation of the Theatre Guild and the Playwrights' Company.

Ticket Tax Total Is $6,444,950 in Sept.

WASHINGTON, Oct. 21.—Federal admission tax collections in September totaled $6,444,950, a drop of approximately $890,000 from the August revenue of $7,330,284, but practically all of the loss was experienced in the Third New York (Broadway) District, where receipts fell from $1,590,184 to $739,831, it was reported tonight by the Internal Revenue Bureau.

Despite the decline, bureau figures disclosed, the August collections were nearly $600,000 above the $5,851,655 reported for that month last year.

For the first nine months of the year, it was shown, collections aggregated $59,183,648 compared with $23,076,747 in 1940, and for the first quarter of the fiscal year which began July 1 they totaled $20,536,095 against $11,908,915 a year ago.

Collections in the Broadway district fell off in all categories, the bureau reported, receipts from box-office sales dropping from $1,529,055 to $693,586; tickets sold by brokers from $6,385 to $3,964; tickets sold by proprietors in excess of the established price and permanent use or lease of boxes and seats from $10 and $150, respectively, to nothing, and admissions to roof gardens and cabarets from $54,984 to $42,281.

10 Million in Para. Debentures Issued

Approximately $10,000,000 of Paramount's new 4 per cent debentures due in 1956 were issued up to last night in exchange for the company's old 3¼ per cent convertible debentures and corporate notes, Stanton Griffis, chairman of the executive committee announced.

The exchange offer expires Nov. 10 unless extended by the company. Paramount has offered to exchange up to $20,000,000 of the new debentures for the old issue and the corporate notes in a move to replace all of its short term obligations with the new issue due in 1956.

Rochester Using Defense Matinees

ROCHESTER, Oct. 21.—Four local Schine houses will launch "defense matinees" for children next Saturday, Bud Silverman, city manager, has announced.

First will be a "coat hanger matinee," at which children bringing 25 coat hangers will receive free admission. The stunt is scheduled for the Riviera, Madison, Monroe and State.

'Don Winslow' Premieres

"Don Winslow of the Navy," Universal serial, will be given premieres in six cities next Monday, "Navy Day," Bernard Kreisler, short subjects manager, announced yesterday.

Review

"Two-Faced Woman"

(M-G-M)

THE millions of Garbo fans, remembering "Ninotchka" and her earlier triumphs, will make a ready-made audience for "The Two-Faced Woman," and showmen may assure their customers that they will not be disappointed.

The vehicle for Miss Garbo's splendid performance is another of those which appear to get by through the expedient of having the man and woman married in the first reel. However, this film has its own particular variations of that basic idea and perhaps may also be criticized because the husband knowingly makes passionate love to the person he thinks is his own wife's sister. Of course this means that this is no picture for the children.

The story opens with Melvyn Douglas vacationing at a mountain resort where he takes a lesson in skiing from Garbo. They fall in love and are married immediately. But then the husband is called back to his work in New York by Roland Young, his partner, and Ruth Gordon, his secretary. He soon forgets the natural, simple life which he had planned to live with the ski instructor. Garbo makes a secret trip to New York to surprise her husband but finds him making love to Constance Bennett, a writer. The ski instructor decides to pose as her own twin sister, but a sister of an entirely different character.

The twin sister is an international vamp and sets out to make her husband's friends and himself fall in love with her. She puts over her "act" at a night club during a scene in which she dances. Her husband falls wildly and passionately in love with her, despite the fact that he thinks she is his wife's sister. Finally he goes back to the mountain resort where his wife has preceded him to ask for a divorce. There he learns that both wife and sister are the same person and he is content.

The film was directed by George Cukor and produced by Gottfried Reinhardt with skill in each department. S. N. Behrman, Salka Viertel and George Oppenheimer wrote the original story. The cast also includes Robert Sterling and Frances Carson.

Running time, 94 minutes. "A."* M. Q. JR.

**"A" denotes adult classification.*

Critics on Coast Upset Press Previewing Rules

(Continued from page 1)

which read: "Now that reviews of films are forbidden before their release I am not permitted to go into detail about the virtues of the picture; I can only say that it has a haunting beauty, infinite tenderness and the kind of realism that tears the heart."

Things like this couldn't happen. Rules had been set up, implementing a resolution adopted by the MPTOA and concurrence in the same by the Association of Motion Picture Producers, against lay press reviewing of product prior to release date.

First Breach of Rules

Nobody had broken these rules up to now. So the correspondents hopped to their telephones and, in the course of a busy day, found out what had happened.

Critics Schallert and Wright, among others, had been privileged to look at "How Green Was My Valley" in the studio projection room, not for review, and not as critics, but as persons known to be interested in furtherance of the art of the cinema and, therefore, the kind of folk to whom a studio might show, on quite personal basis, a film of which it was particularly proud.

Critics Schallert and Wright just "didn't understand."

RKO and Warners Set Trade Showings

RKO and Warners yesterday announced trade showings of new films. Warners will show "Target for Tonight" and "Blues in the Night" in all exchanges on Oct. 29. "Target for Tonight" already has been shown in New York.

RKO will show its third block of five pictures, "Weekend for Three," "Obliging Young Lady," "A Date With a Falcon," "Four Jacks and a Jill" and "Playmates." The first two will be shown in all exchanges Nov. 3, with the exception of New York, where "Weekend for Three" will be shown tomorrow. The third and fourth will be shown Nov. 5 and the last named on Nov. 6.

Open 'Blues' in 2 Cities

The premiere of Paramount's "Birth of the Blues," starring Bing Crosby and Mary Martin, will be held in both Memphis and New Orleans on Oct. 31. The openings are set for the Malco in Memphis and the Saenger in New Orleans.

Studios Have 37 New Films Now Shooting

HOLLYWOOD, Oct. 21.—Thirty-seven pictures were before the cameras this week as 14 finished and nine started. Twenty-nine are being prepared and 85 are in the cutting rooms.

The tally by studio:

Columbia

Finished: "Blondie Goes to College," "West of Tombstone."

In Work: "The Lady is Willing," "Cadets on Parade."

Goldwyn (RKO)

Finished: "Ball of Fire."

John Hall

In Work: "The Captain of Koepenick."

M-G-M

Finished: "Miss Achilles' Heel."

In Work: "Mr. and Mrs. Smith," "I Married An Angel," "We Were Dancing," "The Vanishing Virginian," untitled Dr. Kildare, "Steel Cavalry," "Johnny Eager," "Woman of the Year."

Started: Young America sequel.

Monogram

Finished: "I Killed That Man," "Double Trouble."

Started: "Borrowed Hero."

Producers Releasing

Started: "Law of the Timber."

Pressburger (U. A.)

Finished: "The Shanghai Gesture."

Paramount

In Work: "Torpedo Boat," "The Lady Has Plans," "The Fleet's In."

RKO

In Work: "Sing Your Worries Away," "Joan of Paris," "Valley of the Sun."

Started: "Syncopation," "Mexican Spitfire at Sea."

Republic

Finished: "Missouri Outlaw."

In Work: "Lady for a Night," "Tuxedo Junction."

Small (U. A.)

In Work: "Heliotrope Harry," "Twin Beds."

20th Century-Fox

Finished: "The Perfect Snob," "Castle in the Desert."

In Work: "Remember the Day," "Son of Fury."

Started: "Blue, White and Perfect," "On the Sunny Side."

Universal

Finished: "Dr. Rx," "North to the Klondike."

In Work: "Fifty Million Nickels," "Keep 'Em Flying."

Started: "Road Agent."

Warners

Finished: "The Man Who Came to Dinner," "You're in the Army Now."

In Work: "Juke Girl," "Wild Bill Hickok Rides," "The Male Animal."

Started: "Always in My Heart."

Training Films Screened

Films for training workers in defense industries, produced under the direction of Dr. John W. Studebaker, Commissioner of Education, were shown here privately yesterday. The showing was under the auspices of the educational committee of the National Foreign Trade Council. James Carson, chairman, presided.

AFFILIATED THEATERS, INCORPORATED
310 CHAMBER OF COMMERCE BUILDING
INDIANAPOLIS, INDIANA

September 26, 1941

Mr. W. F. Rodgers
Loew's Incorporated
1540 Broadway
New York, N. Y.

Dear Mr. Rodgers:

You no doubt have noted some trade paper reports criticizing your company for adopting the policy of selling your top brackets of pictures on a sliding scale of percentage.

I am sure you will be interested in our reaction to this plan of selling. We have been buying your product, as you know, under this plan for two years prior to your decision to use it generally in selling the 1941-42 product.

We think it is a fair way to buy pictures. In our opinion the sliding scale is not a proposition which gives the Distributor an opportunity to get more than his film is worth; neither is it a proposition whereby an Exhibitor may contract for pictures for less than they are worth, but rather it is a method where the Exhibitor pays the distributor the proper film rental. As we view the matter from experience, the result is a film rental that is neither too high nor too low.

It avoids requesting adjustments on pictures that do not gross as anticipated at the box-office and it allows the Distributor to get at all times the terms they are entitled to on pictures that are outstanding.

It has worked out very equitably and we feel that theatre owners at large will benefit by what has already proven to be a good plan for us.

Yours very truly,

AFFILIATED THEATRES, INC.

T. C. Baker,
General Manager



"Thanks, Mr. Baker, for permission to reproduce this letter."

—*Leo of M-G-M*

May we reply with pictures, dear Mr. Baker!

Our third group just trade-shown is literally the talk of the industry!

Continuing our fast early-season pace we offer 4 more Big Ones:

NELSON EDDY and (*introducing*) RISE STEVENS in "THE CHOCOLATE SOLDIER."

EDWARD G. ROBINSON in "UNHOLY PARTNERS" with Edward Arnold, Laraine Day.

GRETA GARBO, MELVYN DOUGLAS in "TWO-FACED WOMAN."

WILLIAM POWELL, MYRNA LOY in "SHADOW OF THE THIN MAN."

A Star Parade indeed! A wealth of varied entertainment for theatre patrons who are currently helping "Honky Tonk" to play to more than 200% of normal business (*with hold-overs everywhere. 4th week at Capitol, N.Y. for instance.*)

Those patrons have learned that this year again, as in the past 17 years, the M-G-M signature is a symbol of good faith in buying entertainment. That's our policy to the public. That's our policy to exhibitors.

Sincerely yours,

—Leo of M-G-M



ALL FEMININE AMERICA WIL

And they'll GO for Boyer till they'

UNIVERSAL PICTURES presents

Charles BOYER *and* *Margaret* SULLAVAN

in

APPOINTMENT FOR LOVE

with

Rita Johnson • Eugene Pallette • Ruth Terry • Reginald Denny

J. M. Kerrigan • Cecil Kellaway • Roman Bohnen



Directed by

WILLIAM A. SEITER

A **BRUCE MANNING**

Production

Associate Producer, Frank Shaw







Screenplay, Bruce Manning • Felix Jackson
Based on original story, "Heartbeat,"
by Ladislaus Bus-Fekete

A UNIVERSAL *Picture*

RY—"LET'S GLOW, GIRLS!"

cked to the foyer!



It's a thrill-sweeping romance!

SHE wanted the marriage to last!

HE wanted it to begin!

Nationally Released
OCTOBER 31

'Truth' Takes High $40,000 Chicago Lead

CHICAGO, Oct. 21.—The Chicago Theatre, with "Nothing But The Truth" drew $40,000. The Palace, with "The Little Foxes" on a dual bill took $21,000.

Estimated receipts for the week ending Oct. 16:

"Sun Valley Serenade" (20th-Fox)
APOLLO — (1,400) (30c-40c-59c) 7 days, 2nd week. Gross: $5,000.
"Nothing But the Truth" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage—Variety bill. Gross: $40,000. (Average, $32,000)
"Whistling in the Dark" (M-G-M) 2 days, 2nd week
"Here Comes Mr. Jordan" (Col.) 5 days
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: 5,000. (Average, $5,000)
"Harmon of Michigan" (Col.)
"Life Begins for Andy Hardy" (M-G-M)
ORIENTAL—(3,200) (25c-40c) 7 days. Gross: $8,800. (Average, $9,000)
"The Little Foxes" (RKO)
"Mexican Spitfire's Baby" (RKO)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $21,000. (Average, $13,000)
"Our Wife" (Col.)
"Dressed to Kill" (20th-Fox) 6 days
'Week End in Havana" (20th-Fox)
"The Smiling Ghost" (W. B.) 1 day
ROOSEVELT — (1,500) (30c-40c-59c) 7 days. Gross: $12,000. (Average, $11,000)
"Flying Blind" (Para.)
STATE LAKE—(3,700) (25c-35c-40c-50c) 7 days. Stage—"Spices of 1941" Revue. Gross: $20,000. (Average, $14,000)
"Here Comes Mr. Jordan" (Col.) 2 days, 3rd week
"Dr. Jekyll and Mr. Hyde" (M-G-M) 5 days
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days. Gross: $13,000. (Average, $14,000)

'Yank' Captures $16,500, St. Louis

ST. LOUIS, Oct. 21.—"A Yank in the RAF" gave the Fox its best business in months, grossing $16,500. "Sergeant York" did $5,300 in its third week at the Missouri.

Estimated receipts for the week ending Oct. 16:

"Lady Be Good" (M-G-M)
"Harmon of Michigan" (Col.)
LOEW'S—(3,162) (28c-39c-44c-56c) 7 days. Gross: $14,800. (Average, $13,000)
"You'll Never Get Rich" (Col.)
"Father Takes a Wife" (RKO)
AMBASSADOR — (3,018) (30c-40c-50c) 6 days. Gross: $6,000. (Average, 7 days, $11,500)
"A Yank in the R.A.F." (20th-Fox)
"We Go Fast" (20th-Fox)
FOX—(5,039) (30c-40c-50c) 7 days. Gross: $16,500. (Average, $11,000)
"Sergeant Yerk" (W.B.)
MISSOURI—(3,514) (40c-50c-60c) 7 days. 3rd week. Gross: $5,300. (Average, $4,000)
"Belle Starr" (20th-Fox)
"Smiling Ghost" (W.B.)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $2,800. (Average, $2,600)

'Navy Blues' Omaha Leader with $8,100

OMAHA, Oct. 21.—"Navy Blues" and "Flying Blind" took $8,100 at the Omaha in a week of generally good grosses. The weather was clear and cool.

Estimated receipts for the week ending Oct. 14-15:

"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
BRANDEIS — (1,200) (30c-44c) 7 days. Gross: $4,600. (Average, $4,000)
"Navy Blues" (W. B.)
"Flying Blind" (Para.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,100. (Average, $6,000)
"Married Bachelor" (M-G-M)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Johnny Davis. Gross: $15,200. (Average, $14,500)

Notes from Hollywood

Hollywood, Oct. 21

WARNERS, in planning a remake of "Humoresque," the FANNY HURST story, has purchased it from Cosmopolitan Production. JACK SAPER and JERRY WALD will be co-producers. . . . Monogram has purchased "Mr. Drum Takes a Beating," original story by EDMUND KELSO who is adapting it for the screen. . . . DUDLEY NICHOLS has started work on the polishing of the script of "For Whom the Bell Tolls," which was done by LOUIS BROMFIELD from ERNEST HEMINGWAY'S novel.

• •

M-G-M has purchased "The Immortal Idler," original screenplay by BRUNO FRANK dealing with Rossini, famed Italian composer. . . . MARJORIE REYNOLDS, J. FARRELL MACDONALD and MONTE BLUE have been signed for P.R.C's "Law of the Timber," based on a story by JAMES OLIVER CURWOOD. B. B. RAY produces. . . . NAT W. FINSTON, music chief at M-G-M, is celebrating the start of his 25th year in films. . . . MACDONALD CAREY, stage star, gets star billings in "Dr. Broadway," at Paramount, in which he makes his film debut in the title rode.

• •

GEORGE BANCROFT, FRANK JENKS, MONA BARRIE and JESSIE GRAYSON are added members of the cast of RKO's "Syncopation," WILLIAM DIETERLE production. RKO has acquired "One Hour of Glory," MARY ROBERTS RINEHART story, as a vehicle for THOMAS MITCHELL. It was published in *Good Housekeeping* last year. . . . ROBERT ELLIS and HELEN LOGAN are writing the script of "Iceland," SONJA HENIE'S first picture for 20th Century-Fox under her new contract. . . . ROWLAND V. LEE has been signed by RKO to direct "Powder Town," in which VICTOR MCLAGLEN and EDMOND O'BRIEN will have the principal leads. . . . BRYAN FOY has taken over production reins on 20th Century-Fox' "Highway to Hell," which ROBERT KANE was to have produced.

• •

Carole Lombard will play opposite Jack Benny in Alexander Korda-Ernst Lubitsch's "To Be or Not to Be" . . . Universal has loaned Broderick Crawford to Warners for "A Night Before Christmas" . . . M-G-M has purchased "White House Girl," original by Ruth Finney, for a Joseph Pasternak production. It deals with a White House telephone operator . . . Alan Baxter and Florence Rice head the cast of "Borrowed Hero," *Collier's Magazine* story, which is being directed by Lewis D. Collins at Monogram.

• •

VICTOR SCHERTZINGER will direct "Road to Morocco," BING CROSBY-BOB HOPE picture at Paramount. . . . That studio has purchased "Lady Bodyguard," original by EDWARD HALDEMAN. . . .LARAINE DAY will be starred in M-G-M's "China Caravan," to be produced by SAM MARX and GEORGE B. SEITZ. BARRY NELSON, a newcomer, will be teamed with her. . . . ROBERT BUCKNER'S original, "Miss Willis Goes to War" will have ANN SHERIDAN, OLIVIA DE HAVILLAND, BRENDA MARSHALL and possibly KAY FRANCIS as leads at Warners.

'Jekyll' Brings in $7,200, Milwaukee

MILWAUKEE, Oct. 21.—"Dr. Jekyll and Mr. Hyde" and "A Very Young Lady," grossed $7,200 at Fox's Palace, "Lydia" and "Ice-Capades" at the Warner drew $6,500.

Estimated receipts for the week ending Oct. 16:

"Dr. Jekyll and Mr. Hyde" (M-G-M)
"A Very Young Lady" (20th-Fox)
PALACE — (2,400) (33c-44c-55c) 7 days. Gross: $7,200. (Average, $4,000)
"When Ladies Meet" (M-G-M)
"Our Wife" (Col.)
STRAND—(1,400) (44c-65c) 7 days, 2nd week. Gross: $2,000. (Average, $1,500)
"Lydia" (U. A.)
"Ice-Capades" (Rep.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,500. (Average, $4,500)
"A Yank in the R. A. F." (20th-Fox)
"We Go Fast" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 7 days 2nd week. Gross: $5,700. (Average, $5,500)

Edna Bartos Plans Painting Exhibition

Edna Bartos, painter and wife of Lawrence H. Lipskin, of the advertising department of Columbia, will have a "one-man" exhibition at the Bonestell Gallery, on 57th Street, from Oct. 27 to Nov. 8. Lipskin helped to edit "They Taught Themselves," book on contemporary American primitive painters, by Sidney Janis, which the Dial Press is publishing Nov. 1.

'Kid' and Heidt Are Hits in Kansas City

KANSAS CITY, Oct. 21.—"The Pittsburgh Kid" with Horace Heidt on the stage, scored $15,500 at the Tower. "Honky Tonk" and "Mystery Ship" drew $9,500 at the Midland.

Estimated receipts for the week ending Oct. 14-16:

"A Yank in the R.A.F." (20th-Fox)
ESQUIRE — (800) (30c-40c) 7 days, 2nd week. Gross: $3,000. (Average, $2,200)
"Honky Tonk" (M-G-M)
"Mystery Ship" Col.)
MIDLAND—(3,600) (28c-44c) 7 days, 2nd week. Gross: $9,500. (Average, $8,500)
"Navy Blues" (W.B.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $7,500. (Average, $7,000)
"Sergeant York" (W.B.)
ORPHEUM—(1,900) (40c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $5,000)
"The Pittsburgh Kid" (Rep.)
TOWER—(2,200) (30c-50c) 7 days. Stage: Horace Heidt in person, with the Musical Knights; Larry Cotton, Frankie Carle, Mimi Cabanne, Ronnie Kemper, Donna and her Don Juans. Gross: $15,500. (Average, $6,000)

Three Firms Formed

ALBANY, Oct. 21.—Three new firms have been incorporated here. They are: Upstate Films, Inc., Buffalo, by Sidney B. Pfeifer, Leo Stein and Mildred Ruth; Microfilm Corp., New York, by Irwin Zlowe, Rosalind Babow and Helen Joseph, and Al O. Bondy, Inc., New York, by Joseph Schwartzman, Jacob Grohman and Estelle Corsover.

'Foxes' Draws Good $21,000 Frisco Gross

SAN FRANCISCO, Oct. 21. — "The Little Foxes" zoomed to $21,000 at the Golden Gate. "Smilin' Through" and "World Premiere" drew $12,7[illegible] at the Paramount. The weather was crisp.

Estimated receipts for the week ending Oct. 14-16:

"The Little Foxes" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days. Stage: vaudeville. Gross: $21,000. (Average, $15,000)
"Lydia" (U. A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days, 2nd week. Gross: $6,200. (Average, $8,000)
"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $8,600. (Average, $8,000)
"Smilin' Through" (M-G-M)
"World Premiere" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $12,700. (Average, $11,500)
"A Yank in the RAF" (20th-Fox)
"Henry Aldrich for President" (Para.)
FOX — (5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $13,000. (Average, $16,000)
"Hold Back the Dawn" (Para.)
"Buy Me That Town" (Para.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week (moved over from Paramount). Gross: $4,500. (Average, $5,500)
"Kukan" (State Rights)
CLAY—(400) (15c-35c-45c) 7 days, 11th week. Gross: $700. (Average, $1,000)
'Honky Tonk" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $10,500. (Average, $12,000)

'Honky Tonk' Gets $16,800, Cincinnati

CINCINNATI, Oct. 21. — "Honky Tonk," with a smash $16,800 gross at the RKO Palace, paced the field, while "The Little Foxes" gave the RKO Albee $12,500. "Married Bachelors" plus "The Hollywood Sweater Girl Revue" on the RKO Shubert stage, pulled $11,000.

Estimated receipts for the week ending Oct. 15-18:

"The Little Foxes" (RKO)
RKO-ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $12,500. (Average, $12,000)
"Honky Tonk" (M-G-M)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $16,800. (Average, $10,000)
"Married Bachelor" (M-G-M)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Hollywood Sweater Girl Revue." Gross: $11,000. (Average, $10,000)
"Sergeant York" (W. B.)
RKO CAPITAL—(2,000) (44c-50c-60c) 7 days, 3rd week. Gross: $6,200. (Average, at 33c-40c-50c, $5,500)
"A Yank in the R.A.F." (20th-Fox)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $5,000)
"Lady Be Good" (M-G-M)
RKO LYRIC — (1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $2,400. (Average, $4,500)
"Under Fiesta Stars" (Rep.)
"Doctors Don't Tell' (Rep.)
RKO GRAND—(1,000) (15c-28c) 4 days. Gross: 1,200. (Average, $1,200)
"The Mystery Ship" (Col.)
"The Voice in the Night" (Col.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"It Started with Eve" (Univ.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $5,000)

Seeks Drive-In Permit

SEEKONK, Mass., Oct. 21. — The Board of Selectmen has reserved decision after a public hearing on the petition of William Purcell of Fall River to build a drive-in theatre here.

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Meet THE BRIDE WHO WOULDN'T STAY FOR BREAKFAST!



A joyous reunion of the stars of "THE LADY EVE"

BARBARA STANWYCK ☆ HENRY FONDA

in

Wesley Ruggles'

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LORETTA YOUNG
in THE MEN IN HER LIFE

with

Conrad VEIDT · Dean JAGGER · JOHN SHEPPERD · OTTO KRUGER · LEONTO

Based on a novel by Lady Eleanor Smith
Screen play by Frederick Kohner, Michael Wilson, Paul Trivers
Directed by GREGORY RATOFF
A GREGORY RATOFF PRODUCTION

Released Nov. 20

Marlene DIETRICH · Fred MacMURRAY
in MITCHELL LEISEN'S
THE LADY IS WILLING



with

Aline MacMahon · Roger Clark · Stanley Ridges · Ruth Ford

Directed by MITCHELL LEISEN

A February Release



FREDRIC MARCH ★ LORETTA YOUN
in BEDTIME STORY

with ROBERT BENCHLEY

Helen WESTLEY · Allyn JOSLYN · Joyce COMPTON · Stanley BROWN

Screen play by Richard Flournoy
Story by Horace Jackson and Grant Garrett
Produced by B. P. SCHULBERG · Directed by ALEXANDER HALL

Released Dec. 20

GO WEST, YOUNG LADY

with

ENNY SINGLETON · GLENN FORD · ANN MILLER

CHARLIE RUGGLES · ALLEN JENKINS and BOB WILLS AND HIS TEXAS PLAYBOYS

Produced by ROBERT SPARKS · Directed by FRANK R. STRAYER
Screen play by Richard Flournoy and Karen DeWolf

Released Nov. 27





THREE GIRLS ABOUT TOWN

starring

JOAN BLONDELL · BINNIE BARNES · JANET BLAIR

with

ROBERT BENCHLEY · JOHN HOWARD

Original Screen play by Richard Carroll
Directed by LEIGH JASON · Produced by SAMUEL BISCHOFF

Released Oct. 23

Forced to Be Friendly with Bioff: Warner

(Continued from page 1)

ter the strike at the Columbia studio November, 1937. Warner testified t he called in the studio police who ssigned two men to follow him in car for a period of two weeks. When nothing happened during that eriod, the men were withdrawn, Warner testified.

Austin C. Keough, Paramount secetary and general counsel, is expected be the principal witness today. here is a possibility that the Governent may complete its case today, alough it was pointed out that lengthy ross-examination of Keough may revent this.

W. B. Executives Testify

Besides Warner, Thomas J. Martin, ompany auditor, and Samuel Carlisle, ontroller and assistant treasurer, ere the day's witnesses. Carlisle's ross-examination is expected to end arly this morning and the Governent is expected to round out its laim of extortion from four major ompanies with a recital of alleged ocurrences at Paramount.

Carlisle described his first meeting with Bioff in May, 1936, when he was introduced to Bioff by Albert Warner, vice-president and treasurer of Warner Bros. Warner disclosed that Bioff was seeking $15,000, Carlisle said, and Carlisle suggested a check. This offer was rejected by Bioff who insisted on cash, the witness continued. Bioff said he needed the $15,000 as he was going to a labor convention and "had to dish it out to district leaders," Carlisle testified.

Carlisle said he turned over $10,000 in cash to Warner about May 24, after receiving instructions that executives were to raise their vouchers. Similar sums were raised in August and December of that year and turned over to Warner, he said.

Bioff Flushed

In February, 1937, Warner instructed Carlisle to turn over $20,000 to Bioff on March 1, the witness said. An appointment was arranged and Bioff came in that afternoon, Carlisle continued. Bioff's face "flushed" when he saw Martin present, Carlisle said, but he was told that Martin was there for Carlisle's "protection," to prove to Carlisle's superiors that the payment was actually made.

According to the witness, Bioff responded that nobody would know of the transaction if they did not mention it, as he would not. Carlisle said that he commented at the time that "this finishes the $50,000," but Bioff pointed out that an additional $50,000 would be due for the next year beginning in April.

Carlisle continued with a recital of how he turned over $15,000 in currency to Warner in April and had W. Stewart McDonald, his assistant, turn over an additional $15,000 the next month. Just before Christmas of that year, he sent $5,000 in cash to Harry M. Warner on the Coast pursuant to instructions from Albert Warner, he declared.

On cross-examination, Carlisle said that he had been told by Albert Warner that the executives whose vouchers would be raised included A. W. Smith, Gradwell Sears and S. Charles Einfeld. Cross-examination by Bioff's counsel was concluded but Martin Conboy, Browne's lawyer, had just begun when the trial was adjourned for the day.

Earlier, Martin had told how with Carlisle he had obtained the cash for Warner. Martin identified $91,634 in vouchers which had been used for this purpose and said that the additional $8,366 had been obtained from theatre company vouchers but that these could not be located. A notebook, kept by Martin, which recorded the individual vouchers was introduced in evidence by Judge John C. Knox, after both sides declined to offer it.

Martin, too, told of a March, 1937 meeting with Bioff. He said the $20,000 in currency was counted by both himself and Carlisle. Bioff looked surprised when he saw him there, Martin testified, and merely thumbed through the money, without counting it when handed the envelope. Martin said he then walked away from the table and could not hear what was said between Bioff and Carlisle and that the former left the room.

Both Martin and Carlisle said that a safe deposit box at the Manufacturers Trust Co. contained company cash, from which currency was obtained for the alleged payments. Carlisle also had an office safe in which cash was kept, it was testified. Martin said amounts up to thirty to fifty thousand dollars were kept in the bank vault and up to $5,000 in the office safe.

Reviews

"Shadow of the Thin Man"

(M-G-M)

THE popular series of "Thin Man" films, featuring William Powell as Nick Charles, the nonchalant private detective, and Myrna Loy, as his charming and slightly erratic wife, has herein another highly entertaining chapter, which should do very well at almost any box-office.

Full of amusing lines and numerous entertaining situations, the picture moves smoothly and swiftly, with a full share of suspense and occasional bits of excitement to keep audience attention held to the screen. W. S. Van Dyke II directed with skill, keeping the loose ends of his mystery well in hand until the final sequence.

In support of the two stars are Barry Nelson, as a young crusading newspaper reporter out to smash the crooked racetrack gambling ring; Donna Reed, as Nelson's sweetheart; Sam Levene, as the police detective who gets the credit for Powell's success; Alan Baxter, as another reporter involved with the ring; Lou Lubin, in an excellent character bit as a member of the gang; Dickie Hall, as Powell's small son, and, of course, Asta, the family dog.

Powell is persuaded to undertake to help smash the gambling ring when Nelson, a friend, is arrested for one of the two murders the police are working on. The trail leads into various entertaining bypaths until, logically and cleverly, Powell uncovers the killer.

Running time, 97 minutes. "G."* CHARES S. AARONSON

"The Men in Her Life"

(Columbia)

LORETTA YOUNG stars in this picture, which shows the joys and sorrows in the life of a ballerina, and she gives a sympathetic and moving performance. But many audiences not familiar with the ballet will find that the story develops slowly and that the action tends to drag in places. Music and ballet lovers will find a number of finely staged numbers in the hour and a half of running time.

Gregory Ratoff was the producer and director and there are ample indications that careful attention was given to many details of the film. The story opens with Miss Young, a circus performer who has ambitions to be a dancer, being discovered by a ballet teacher who was once a great star, played by Conrad Veidt. The girl persuades the master to teach her and there begin years of hard work. Finally she makes her debut and is a success. She marries her teacher out of gratitude, although she loves John Shepperd, young Englishman. When her husband dies she marries Dean Jagger, an American, and tries to quit dancing. But she leaves her husband to return to her career. A child is born and the mother allows the husband to take the child to America. Finally some years later she is reunited with her family after her best days as a ballet dancer are over.

Women may be expected to shed a few tears at several points in the human story of a woman trying unsuccessfully to give up her career to have a happy married life. The fine cast also includes Eugenie Leontovich, the maid; Otto Kruger, the manager; Paul Baratoff, Ann Todd, Billy Rayes, Ludmila Torerzka and Tom Ladd.

Running time, 89 minutes. "G."* M. Q., JR.

*"G" denotes general classification.

Abandons Stock Plan

PROVIDENCE, Oct. 21.—Claiming inability to book enough suitable plays, Abe A. Spitz has announced temporary abandonment of his plan to start a season of stock at the Playhouse on Nov. 3.

Unity, Taxes Major Issues, Myers States

(Continued from page 1)

they can help settle differences between distributors and exhibitors, if they can establish a permanent point of contact for coordinating efforts and for opposing attempts to discredit the industry as a whole. Our job is to see that films aren't classified like gasoline, liquor, tobacco and other whipping boys of taxation."

Myers cited the efforts of Senators James Davis of Pennsylvania, Robert LaFollette of Wisconsin and David Walsh of Massachusetts in the industry's fight on the recent Federal tax proposals.

Opposes Consent Decree

Fred Beedle, AMPTO president, in his address, said he blamed the "increase of film prices" on the consent decree. "We started out in the Fall of 1940 with the consent decree on our minds, and we are finishing up the Fall of 1941 with the consent decree on our backs," he declared. "Who consented to what?"

Beedle suggested revision of the national and regional Allied constitutions and that "all delegates be eligible to vote" in national conventions. He scored exhibitors' inactivity in organization affairs and reviewed the formation of the local defense investigation committee.

Address by Richey

Greater emphasis by exhibitors on the selling of their product and the selling of the theatre institutionally to the public was foreseen by H. M. Richey, director of exhibitor relations for M-G-M, in an address before the convention.

"I believe the time is rapidly passing when the theatre owner will occupy the majority of his time buying and little of his time selling," Richey said.

Constructive exhibitor organization is vital to the security of the business, he said, and attacks from outside have tended to drive all elements of the industry closer together. He stressed the importance of industry unity under present conditions. Richey reiterated M-G-M's policy of attempting to bring about better industry relations, and the company's intention to live up to the consent decree. The arbitration system is proving to be a "constructive force," he declared.

More intensive selling is necessary today, Richey pointed out, with the competition for the working man's amusement dollar keener than ever.

Reviews Legislation

Fred Herrington, executive secretary, reviewed AMPTO activity in state legislative matters which resulted in the defeat of a two-men-in-a-booth bill, a bill to prohibit Sunday admission to children under 15 years, and other measures.

Thornton Kelly of New York explained the acceptance of National Screen Service cooperative advertising film plan by the New Jersey and Eastern Pennsylvania units of Allied.

M. A. Rosenberg, convention chairman, said although the AMPTO board had rejected the plan, he would ask its reconsideration if the membership so desired.

Will Ask Arnold To Appear Before Senate Committee

(Continued from page 1)

Hampshire returns to Washington, probably next Monday, to decide whether hearings shall be resumed the following week.

Also, he said, if the committee meets next week it is possible that some of the alleged propaganda pictures finally will be viewed. However, he admitted, conditions now are very confused and there is no certainty when hearings will be resumed.

The chairman said that in addition to Arnold the committee hoped to hear Norman Chandler, publisher of the Los Angeles *Times;* Will Hays, president of the MPPDA, and possibly Louis de Rochemont of March of Time.

Meanwhile, there were indications that film propaganda may figure in the debate in the Senate next week on repeal of the ship arms ban of the neutrality law. Clark admitted that some consideration had been given to bringing in this phase of the neutrality situation, but said no decision had been reached.

Order Disney Suit Trial

The Appellate Division of the N. Y. Supreme Court yesterday reversed a dismissal of the $200,000 damage suit brought by Adriana Caselotti against Walt Disney Productions, Ltd., and RCA Manufacturing Co., and ordered a trial. The plaintiff, who provided the sound track for "Snow White and the Seven Dwarfs," claimed records were made without her permission.



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Off the Antenna

KVOO, Tulsa, Okla., NBC-Red affiliate, will increase its daytime power to 50,000 watts day and 25,000 night within the next 10 days, and expects to go 50,000 watts full time shortly, it was announced yesterday.

Two stations are scheduled to join NBC-Blue within the next two months, it was revealed. They are KTKC, Visalia, Cal., on Nov. 15, and WFTC, Kinston, N. C., on Dec. 1. KTKC, with 1,000 watts on 920 k.c., will be an optional outlet on the Pacific Coast group, at the basic rate of $120 per night time hour. On Jan. 1, the station will move to the clear channel of 940 k.c. and will increase its power to 5,000 watts. WFTC with 250 watts on 1,230 k.c., will be a bonus outlet for the Southeastern group.

Another Blue station, KGKO, Fort Worth, Tex., has notified NBC officers here that it will increase its power to 5,000 watts full time by Dec. 1.

• • •

Purely Personal: *Lloyd W. Dennis, program director at WJSV, Washington, has been named supervisor of CBS educational activities in the East. Robert R. King, of KTSA, San Antonio, Tex., has been appointed to a similar post for the Southwest. . . . Bing Crosby will be guest on Bob Considine's sports show over WNEW this evening. . . . Milton Berle has written a song, "Would It Make Any Difference to You?" which will be played for the first time on his show, "Three Ring Time" over Mutual Friday.*

• • •

RCA Communications yesterday dsiclosed that a new radio circuit had been opened between New York and Brazzaville, French Equatorial Africa. Brazzaville is the "Free French" area.

• • •

Program News: Irving Caesar will bring his "Songs of Safety" back to WOR this week with a new series Sundays, 12:30-12:45 P.M. . . . California Fruit Growers has renewed Hedda Hopper's Hollywood program Mondays, Wednesdays and Fridays over 39 CBS stations. . . . Ward Baking Co. will sponsor AP news over WJZ 8:45-8:50 A.M. Mondays through Fridays for 13 weeks. . . . Drezma, Inc., has renewed "Lessons in Loveliness" over WABC Tuesday, Thursday and Saturday, 8:25-8:30 A.M. and Tuesday and Thursday, 11-11:15 A.M. . . . Barbara Gould, Inc., has started sponsorship of "Here's Looking at You" over WOR Monday, Wednesday and Thursday, 2:45-3 P.M. . . . Chesebrough has renewed "Dr. Christian" over 64 CBS stations.

W.B. Appeals Newark Award on Clearance

(Continued from page 1)

Newark. The case involves the five consenting distributors.

The Buffalo arbitration board's sixth complaint was filed yesterday by Irving Cohen, owner of the Allendale, Buffalo, against Loew's Paramount, 20th Century-Fox and Warners. The complaint charges that the Allendale's present availability is unreasonable and requests an award permitting it to play "ahead of the Marlowe" in Buffalo.

Deny Product Refusal At St. Louis Hearing

ST. LOUIS, Oct. 21.—Representatives of the five consenting companies denied that they had refused films to the Ritz Theatre, Rolla, Mo., at a hearing at the local arbitration board today on the some run complaint of Mrs. Mildred Karch, owner of the Ritz.

The complainant charged that she had been offered only old films and had been unable to make any specific contract. First and second runs in the area have been sold to the Rolla-Mo and Uptown theatres, owned by the Gasconade Circuit.

The some run complaint of Floyd Lowe of Lebanon, Mo., against the five consenting companies and with Gasconade Circuit as an interested party, is scheduled for hearing here next Tuesday.

Oriental Hearing Today in Chicago

CHICAGO, Oct. 21.—The clearance case of the Oriental Theatre, involving all of the Class A Loop and neighborhood houses in the city, is scheduled for hearing at the local board tomorrow. An intervention in the case was filed today by the Esquire Theatre, adjacent to the Loop.

Fox Sentenced to One Year in Prison

(Continued from page 1)

was granted permission to appeal the sentence to the U. S. Circuit Court of Appeals and his bail was increased from $5,000 to $15,000. The new bail was posted.

A plea that Fox be given a chance to go to trial before a jury was denied by Federal Judge Guy K. Bard in U. S. District court here. Judge Bard refused to accept a motion for Fox to change his plea of guilty to one of not guilty. The court contended that the story told by Fox at the trials constituted a guilty plea.

Littleton made a plea first for suspension of sentence and then for clemency. U. S. Attorney Gerald A. Gleeson, while admitting that Fox had been "helpful" to the Government in the other trials, insisted that he should be given a prison sentence because of the seriousness of the crime.

Delay on U. A. Head Until Coast Meetings

(Continued from page 1)

tion duties which necessitated his return to the Coast last weekend.

United Artists owners indicated yesterday that no definite candidate for the presidency of the company is in view at this time but that several are under consideration and their names will be proposed at the meetings to be held in Hollywood.

Badgley ARP Officer

OTTAWA, Oct. 21.—Frank C. Badgley, former director of the Government Motion Picture Bureau has been appointed assistant Federal Air Raids Precaution Officer, as aide to Dr. W. O. Gliddon.

Canada Cuts Radio Set Output by 25%

Toronto, Oct. 21. — Manufacturers of radio instruments have been notified by the Canadian Government to reduce the production of receiving sets to 75 per cent of the 1940 output. Trade statistics show that this represents a cut in manufacture of 125,000 sets in the next 12 months.

Seating Problem Is Studied by S.M.P.E

A study is being made of the publi preference for seats in theatres in or der to improve the comfort and enter tainment value of the house, the So ciety of Motion Picture Engineers wa told yesterday at the Hotel Pennsyl vania in a report by the theatre engi neering committee. The report wa read by Dr. Alfred N. Goldsmith chairman. Additional surveys are t be made by the committee.

Ramsaye a Speaker

Terry Ramsaye, editor of *Motio Picture Herald,* addressed the dele gates, his subject being listed as "Lot of How, and Little What." Ramsay spoke on the extent and complexity o the machinery of communications a compared with what was to be com municated. He suggested that "th customers are part of the machiner of civilization" and that perhaps i would be well for the engineers to ge far enough into social and politica affairs to help make the whole thing work.

Two sessions were held yesterday second day of the four-day meeting The morning was occupied with a pro jection session, and the afternoon with a general session.

Discuss New Developments

The delegates heard reports on safety devices and a talk on new arc lamps. Various new technical developments and devices in projection were described, color quality on the screen was discussed, and reports of the studio lighting and standards committee concluded the day's sessions.

Tonight the semi-annual banquet will be held, with the Journal Award and Progress Medal to be presented.

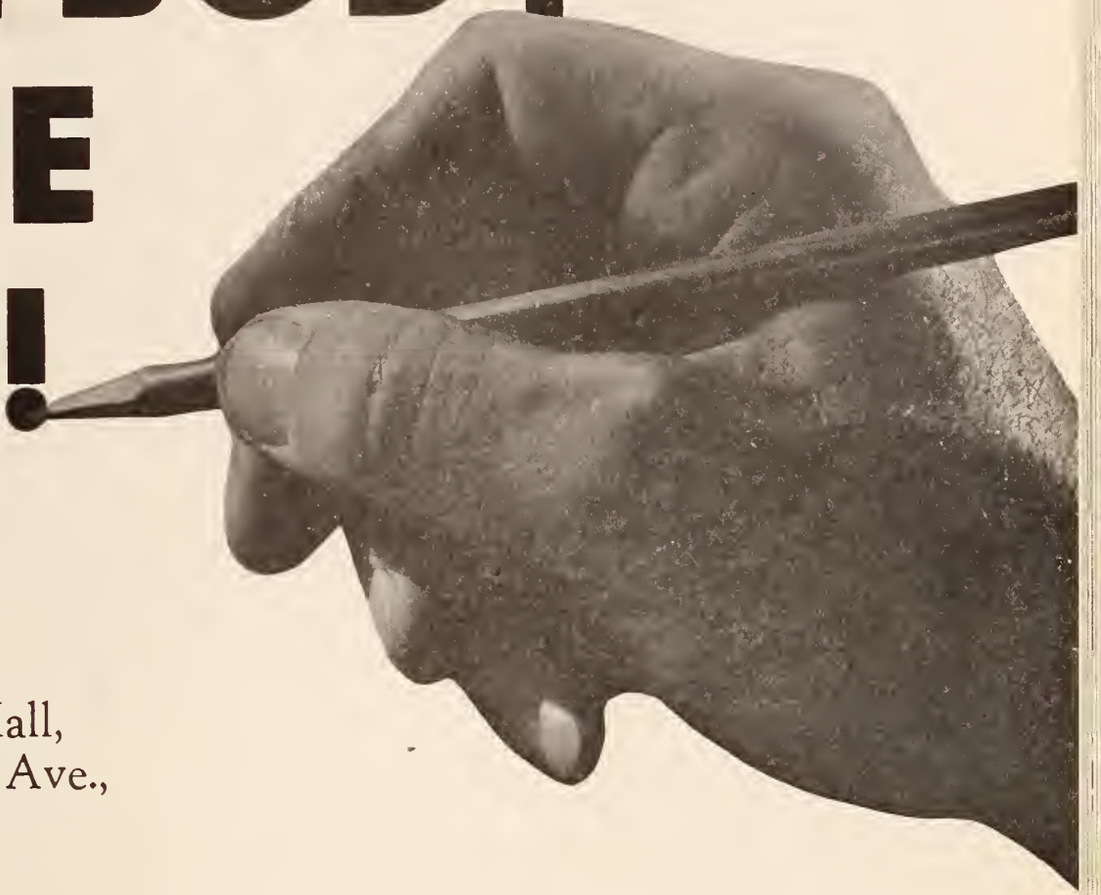
Nick, Weston Seek High Court Review

ST. LOUIS, Oct. 21.—John P. Nick, ousted head of the operators union here, and Clyde A. Weston, former business agent of the union, are reported preparing to file an applica tion for a writ of certiorari with the U. S. Supreme Court this week in an attempt to obtain a review of their convictions here a year ago on charges of violating the federal anti-racketeering statute.

CBC Employes Will Organize in Canada

OTTAWA, Oct. 21.—Regional representatives of employes councils of the Canadian Broadcasting Corp. are meeting here for three days to lay the foundation for the organization of a national employes council representing all CBC employes in Canada.

EVERYBODY PLEASE COPY!



W. G. Van Schmus,
Radio City Music Hall,
50th Street and 6th Ave.,
New York City.

Dear Mr. Van Schmus:

I want to join the amusement world at the "Stars' Party for Mayor La Guardia" next Monday, Oct. 27th in the Grand Ballroom of the Hotel Astor ($1.75 per ticket). I'll be at the Luncheon at 12:30 noon.

[For phone reservations call: CIrcle-6-4600]

I understand there will be a triple-dais of show-world personalities who are coming to greet the Mayor. Count me in. This is the time when all of us should put into action what's in our hearts. We must make sure in these troubled times that an experienced man and a man friendly to our business remains in City Hall.

Let's keep the Little Flower blooming on the sidewalks of New York.

Sincerely yours—

Everybody

THEATRICAL, MOTION PICTURE AND RADIO COMMITTEE FOR THE RE-ELECTION OF MAYOR FIORELLO H. LaGUARDIA

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VOL. 50. NO. 81 NEW YORK, U.S.A., THURSDAY, OCTOBER 23, 1941 TEN CENTS

Company Gave Bioff $100,000 Through States

Gov't Rests and Defense To Move for Dismissal

Austin C. Keough, vice-president and general counsel of Paramount, testified yesterday in the Browne-Bioff extortion trial in Federal Court that he gave William Bioff $100,000 in cash at the Warwick Hotel in New York and that an additional $70,000 was given to Bioff at his instruction during the period from May, 1936, to January, 1938.

The Government rested its case conditionally, after three additional witnesses were heard. Argument on defense motions to dismiss will take place before Judge John C. Knox at 2 P.M. today with the jury absent.

Mathias F. Correa, U. S. Attorney, reserved the right to call additional

(Continued on page 7)

Dimmick Is Winner Of S.M.P.E. Medal

Glenn L. Dimmick, sound engineer of RCA Laboratories, received the annual Progress Medal of the Society of Motion Picture Engineers, and J. A. Frayne and Vincent Pagliarulo of Warner Bros. in Hollywood, received the *Journal* Award at the semi-annual banquet of the society at the Hotel Pennsylvania last night.

The presentation was made by Emery Huse, president of the society, now holding its convention at the Pennsylvania. The four-day convention will end today. Otto S. Schairer,

(Continued on page 2)

Col. Western Meet In Frisco Tomorrow

SAN FRANCISCO, Oct. 22.—Columbia will open a Western regional sales meeting at the Sir Francis Drake Hotel here Friday for two days. Abe Montague, general sales manager, will preside.

Rube Jackter, assistant sales manager, will attend and Jerome Safron, Western division manager, will head the following branch managers and salesmen:

Los Angeles: Wayne C. Ball, branch manager; L. Kennedy, S.

(Continued on page 8)

Managers' Union Designated by RKO Vote, First of Kind

The first managers' union to win recognition, the Exhibition, Exposition, Entertainment Employes National Union, an unaffiliated group, yesterday won a collective bargaining agency election among managers, assistant managers and treasurers employed at RKO theatres in Greater New York and Westchester County. The vote was 51 to 39. The election was conducted by the New York State Labor Relations Board.

As there were no challenges to any persons voting, the result entitles the union to act as sole bargaining agency, Gustave A. Gerber, union attorney, declared. Ninety of the 91 eligible to vote participated. The SLRB is to certify the election within five days.

Gerber declared that petitions would be filed shortly for designation in the Loew and Skouras houses in the New York area, where the union claims a majority. The 4-E group has no connection with the M. P. Division of the Theatrical Managers, Agents & Treasurers Union, AFL, which was abandoned more than a year ago, although Gerber was attorney for that TMAT branch.

Two Grand Rapids Complaints Filed

DETROIT, Oct. 22.—Two clearance complaints by Grand Rapids exhibitors were filed at the local arbitration board today naming Butterfield Circuit and Co-Operative Theatres of Michigan as interested parties.

The complaints were filed by Alyce Cornell, owner of the Galewood Theatre, and R. G. Taylor, owner of the Southlawn. Loew's, Vitagraph, 20th

(Continued on page 7)

Fish Would Extend Cut-Rate Tickets

Washington, Oct. 22.—Representative Hamilton Fish today introduced legislation giving members of the American Merchant Marine, and of the merchant marine and armed forces of lend-lease nations, when in uniform, reduced admission privileges granted American armed forces under the new tax law. The bill has been referred to the House Ways and Means Committee.

Allied Starts Machinery on Industry Unity

By MORT FRANK

PITTSBURGH, Oct. 22.—Allied States Association today set in motion its plan for industry unity when the board of directors, meeting here, directed a committee to communicate with other groups in the industry "with a view to setting up a national joint conference committee."

This was disclosed in a statement by Abram F. Myers, chairman of the board, which revealed that the proposal had been ratified by the membership of the regional units, with only three affiliates voting against the proposal to explore the possibilities for "a more elaborate and enduring form of industry organization." Fifteen affiliated organizations held referenda.

Appointment of the committee, which took place at the national con-

(Continued on page 8)

Majors Plead Not Guilty to Minn. Charge

Will Arraign Companies In St. Paul Today

By ROBERT E. MURPHY

MINNEAPOLIS, Oct. 22.—Asserting they believed the Minnesota anti-block-of-five law to be unconstitutional, RKO, Paramount and 20th Century-Fox entered pleas of not guilty to violating the statute in St. Paul municipal court today.

The companies were represented by Joseph Findley, St. Paul attorney, and David Shearer, Minneapolis attorney. No other company representatives appeared in court. Preliminary examination was waived by the attorneys and the cases were bound over to Ramsey County district court, where representatives of the companies will be arraigned tomorrow.

Findley, appearing for Paramount, declared that the company intended to

(Continued on page 8)

Ed Schnitzer Seen Successor to Sears

Because of reports that Gradwell L. Sears was discussing a deal with United Artists owners for the presidency of that company, interest turned in the trade yesterday to a possible successor to Sears as Warners general sales manager. Home office officials would make no comment, however. It is the opinion of showmen that Edward Schnitzer, Eastern district manager, might be selected, were a man to be appointed from the ranks, since Carl Leserman, Sears' chief aide, is reported likely to go to U.A. with him.

Sears' attorney, Leo Spitz, retained by him Tuesday in a telephone call to Chicago, is not expected here until Monday.

U.A. owners meanwhile reiterate that a deal with Sears is not imminent. Warner company heads also are reported most reluctant to let Sears go. His contract runs until the end of March, it is said.

In the meantime, David O. Selznick has finally signed his deal with U.A., it was also learned yesterday.

Distributors Face Chinese Money Withdrawal Problem

American distributors will be unable to withdraw revenue from occupied China unless the MPPDA, working through the State Department, is successful in efforts to have films placed on the preferential list not subject to the Government's "freezing" order, Joseph Goltz, United Artists manager for China, who is here for a home office visit, said yesterday.

Goltz said that nothing can be done about the removal of films from a luxury classification by company representatives in China, despite the fact

(Continued on page 7)

Canada Music Union Dispute is Settled

OTTAWA, Oct. 22.—Major Gladstone Murray, CBC general manager, has told James C. Petrillo, president of the American Federation of Musicians, that "Canadian music affairs are to be negotiated and settled on a strictly Canadian basis without interference or pressure from the United

(Continued on page 8)

Mexican President Is Real Screen Fan

Mexico City, Oct. 22.—President Manuel Avila Camacho is a real film fan. With his immediate family, he attends films at least twice a week. He goes as a private citizen. He also sees pictures at his home here.

His predecessor, Lazaro Cardenas, rarely attended pictures.

Horne Will Handle 'Starr' Roxy Opening

"Belle Starr" is the next 20th Century-Fox film opening which will be handled under direction of Hal Horne, it was learned yesterday. The picture is scheduled to follow the present run of "A Yank in the R. A. F." now in its fifth week at the Roxy.

Horne is now handling the opening of "How Green Was My Valley" at the Rivoli Theatre next Tuesday. The theatre is closing Sunday night so that it can be decorated for the opening.

It is reported that 20th Century-Fox under Horne will spend about $10,000 alone on the decorations and the front of the house. An additional $25,000 will be spent in advance advertising, it is reported.

Two-Way Broadcast Planned for 'Valley'

A two-way trans-Atlantic broadcast has been arranged between Captain Richard Llewellyn in England and prominent persons who will be in the premiere audience of "How Green Was My Valley," it was announced yesterday. Captain Llewellyn is author of the book on which the 20th Century-Fox film was based. The broadcast will start after the showing and will be heard locally on WMCA.

Cohan 'Much Improved'

George M. Cohan is "resting comfortably" at the Flower-Fifth Avenue Hospital where he underwent an operation on Saturday, it was reported late last night. Earlier in the day, Dr. Miguel Elias, Cohan's physician, said his condition was "much improved."

Walker Touring South

NEW ORLEANS, Oct. 22.—Postmaster-General Frank C. Walker, who is making a business tour of the south, arrived here Monday.

BROADWAY PLAYS

"BRILLIANT! . . . MIRACULOUS!" —*Danton Walker, News*

GERTRUDE LAWRENCE

in the Musical Play

"LADY IN THE DARK"

ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

Mail Orders Promptly Filled

"A GREAT SHOW"—*Herald Tribune*

50c, $1 & $1.50 PLUS TAX NO HIGHER

2ND YEAR—2ND EDITION of the Sensational Musical Icetravaganza

IT HAPPENS ON ICE

at America's Only Ice Theatre

Center Theatre, Rockefeller Center. CO. 5-5474

Eves. except Monday. Mats. Wed., Sat. & Sun.

501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

MAJOR EDWARD BOWES was host at a luncheon in the Empire State Bldg. yesterday for DR. A. H. GIANNINI and a group of mutual friends. DR. GIANNINI will leave for the Coast today.

•

BARNEY BALABAN returned from the Coast yesterday.

•

ROBERT M. GILLHAM is due from the Paramount studio today.

•

HARRY GOLDBERG is due today from Cleveland and Philadelphia.

•

SAM HACKER is in Philadelphia.

JOHN HAY WHITNEY leaves for California Sunday.

•

DARRYL ZANUCK is expected here Monday.

•

MRS. Y. FRANK FREEMAN will arrive at the Waldorf-Astoria today from Atlanta for a two weeks stay before returning to the Coast.

•

CHRISTY WILBERT of 20th Century-Fox has left for St. Louis.

•

MORRIS HELPRIN leaves for the Coast today.

Lewis Play Gets One Performance

Establishing what is considered to be a new low-run record for a Broadway show this season, "Good Neighbor," a play financed and directed by Sinclair Lewis, closed after only one performance, the one on opening night, Tuesday. Last night the show failed to open.

It is understood that the venture cost Lewis about $26,000. Sam Byrd was the producer. Jack Levin is the author.

The play was unanimously criticized adversely by the reviewers. Previously "The Distant City" held the low-run record for this season with two performances.

Large Turnout for Mayor Is Expected

Acceptances to date indicate a large attendance for the luncheon honoring Mayor F. H. LaGuardia at the Hotel Astor next Monday, John Golden, chairman of the Theatrical, Motion Picture and Radio Committee, which is sponsoring the event, announced yesterday. The Mayor will be the only speaker, it was announced. His address is scheduled to be broadcast over WHN, 1:35 to 2:15 P. M.

Autry Host at Rodeo

Gene Autry will give a luncheon at the Hotel Lincoln Saturday and Sunday to 300 youngsters selected in New York theatres, in cooperation with Republic, to which Autry is under contract. After the luncheon on each day the youngsters will be Autry's guests at the Rodeo at Madison Square Garden.

City Manager Shifted

CHARLOTTE, N. C., Oct. 22.—Jack E. Austin, city manager at Burlington, N. C., for North Carolina Theatres, Inc., will be city manager here, effective Nov. 1. Norris Hadaway of the National Theatre in Greensboro succeeds him in Burlington, and Clyde Wooten succeeds Hadaway.

George Jessel Is Father

HOLLYWOOD, Oct. 22.—Lois Andrews Jessel, wife of George Jessel, gave birth to a seven-pound daughter at Cedars of Lebanon Hospital here today.

Musicians Pledge Aid to British Union

Jacob Rosenberg, president, and William Feinberg, secretary of Local 802 of the American Federation of Musicians here, have cabled the Musicians Union of Great Britain a pledge of "unstinted support" in the fight against Hitlerism. "We pledge our voice and strength to help make America conscious of its own great stake in your ultimate victory," the cable read.

The message was in reply to a cable from the English union, appealing for "the greatest possible effort in the cause of liberty and democracy."

RKO Gets $1,500,000 2% Short Term Loan

RKO has closed arrangements with Bankers Trust Co. for a short term loan of $1,500,000 at 2 per cent.

The interim financing is said by Company officials to have been made necessary by the company's large production inventory resulting from the slower liquidation of pictures at the outset of the new decree selling method.

Lehmans to Attend Opening of 'Dumbo'

Gov. Herbert H. Lehman and Mrs. Lehman head the list of invited guests who are scheduled to attend the opening of the Walt Disney-RKO feature cartoon, "Dumbo," at the Broadway Theatre tonight, according to an announcement by RKO.

The opening is being presented as a benefit for the Vocational Service for Juniors. Starting tomorrow morning, the film will be shown on a continuous-run policy.

Goldwyn Signs Wood

HOLLYWOOD, Oct. 22.—Samuel Goldwyn today announced the signing of Sam Wood to direct "Treasure Chest," starring Bob Hope. Wood will report after completing "For Whom the Bell Tolls" for Paramount.

Form Theatre Firm

HARTFORD, Conn., Oct. 22.—Certificate of incorporation has been filed for the Eastwood Theatre Co., Inc., of East Hartford, naming Adelyn Hitchcock, Florence Parker and Gerald R. Steinberg, all of Norwalk as incorporators.

Dimmick Is Winne Of S.M.P.E. Meda

(*Continued from page* 1)

RCA Laboratories vice-president, rea the citation for Dimmick, given fo his outstanding contributions to th motion picture. The Journal Awar was given for the best paper publishe during the year in the SMPE *Journa* on "The Effects of Ultraviolet Li on Variable-Density Recording Printing."

At the banquet, William C. Kunz mann, for many years convention vice president of the SMPE, was give a testimonial certificate.

The convention yesterday voted t add the name of the late Edwin S Porter to the honor roll of distin guished pioneers of the society. Por ter, who died last year, was Thoma Edison's first photographer, and acte in that capacity on the early film "The Great Train Robbery."

The laboratory technical sessio yesterday morning featured papers o a new electrostatic air cleaner for film use; a precision densitometer; o analysis of developers, and processing solutions for films. No technical ses sion was held yesterday afternoon.

Grierson Takes Over Canada Film Bureau

TORONTO, Oct. 22.—John Grierson, head of the Canadian National Film Board, also will direct the Canadian Government Motion Picture Bureau, following the transfer of Captain Frank Badgley, former Bureau head, to other work. Badgley has been appointed to a position at Ottawa in the Department of Pensions and National Health.

The bureau for many years has been responsible for the production and distribution of official Government films.

Carroll Rites Tomorrow

Funeral services will be held in Hollywood tomorrow for Major James Henderson Carroll, 50, brother of Earl Carroll, who died in Washington Tuesday of a heart ailment. General manager for Earl Carroll for a number of years, James Carroll returned to active Army duty a year ago. He served as a captain in the first World War.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Short Subject Reviews

Triumph Without rums"

arey Wilson Miniature)
M-G-M)

Though the Pure Food and Drug might suggest something dull in way of film entertainment, this amatization of the story behind the l is not only enlightening but holds good deal of interest. It begins with vil War fatalities due to diseased od, and follows through on Harvey . Wiley's campaign to have Con- ess and the President take action on e matter. He finally proves his int to Theodore Roosevelt and the ct comes into being. Running time, mins. Release, Oct. 18, 1941.

Flicker Memories"

Pete Smith Specialty)
M-G-M)

Ancient flickers always seem capa- e in these times of drawing laughs, d Pete Smith's treatment of them rein makes them appear even sillier d funnier. The over-dramatic play- g is made more humorous by sound fects while Smith adds to the amuse- ent with humorous remarks. Run- ng time, 8 mins. Release, Oct. 4, 941.

Information Please"

No. 1, New Series)
RKO Pathe)

John Gunther is the guest expert, einforcing the standard trio of Oscar evant, John Kieran and Franklin P. dams, in this interesting number of ne always-interesting series. In this stance, Gunther proves himself well nformed and as usual, Adams and evant supply a number of amusing noments. Running time, 9 mins. Re- ase, Sept. 19, 1941.

'Highway of Friendship"

Adventures of Newsreel ameraman)
20th Century-Fox)

The Inter-American highway which, hen completed, will link South merica with the United States, is he camera trail for this Adventures f the Newsreel Cameraman subject. The reel offers good scenic material, aught by knowing cameramen on the ourney from the Mexican border outh to Lima and east to Buenos Aires. The commentary is a good djunct to an interesting and pic- uresque subject. Running time, 10 nins. Release, Oct. 24, 1941.

"Inside Passage"

(Fitzpatrick Traveltalk)
(M-G-M)

James A. Fitzpatrick found what is apparently the pictorial best in Alaska, filmed it in the regulation Fitzpatrick style, included informative, interesting commentary, and the result is one of the better travelogues. The approach is by inland waterway from Seattle and, in penetrating, stopovers are made at the salmon fisheries, an Indian village and important ports. The beauty of the snow-capped peaks in the background, and, for that matter, all that is on view, is emphasized by color photography. Running time, 9 mins. Release, Oct. 4, 1941.

Review

"You Belong to Me"

(Columbia)

A SMOOTH, entertaining dramatic comedy has been developed from a Dalton Trumbo story, concerning the conflict of purpose of a young, attractive woman doctor, and her too-wealthy and jealous husband. With an excellent cast, and skillful direction by Wesley Ruggles, the net result should be box-office material for any exhibitor.

For the marquee there is fine quality in cast leaders, with Barbara Stanwyck and Henry Fonda, both of whom have taken full possession of their roles for maximum results. Fonda is especially entertaining as the continuously heart-broken husband who finds his wife's career too much for him, while Miss Stanwyck is properly exasperated and always attractive. The others of the cast are comparatively unknown, with the exception of Ruth Donnelly, as Miss Stanwyck's nurse-secretary. Edgar Buchanan, in the role of the philosophically-inclined gardner on Fonda's estate, offers a character role of excellent quality.

When Fonda is injured while skiing, Miss Stanwyck, physician, attends him. They fall in love and despite Miss Stanwyck's protestations of the importance of her career, they are married. Trouble begins immediately, particularly because of Miss Stanwyck's men patients, and Fonda's unfounded jealousy causes one scene after another, each followed by a promise to behave. Finally realizing his life lacks purpose, he takes a job in a department store, then is fired through employe complaints when his identity is revealed. Following his new purpose in life, however, he takes over an almost bankrupt hospital, where the two can find happiness in working for others.

Running time, 97 minutes. "G."*

CHARLES S. AARONSON

*"G" denotes general classification.

'Honky Tonk' Gets $22,500 in Capital

WASHINGTON, Oct. 22.—In one of the best weeks of the year, "Honky Tonk" did $22,500 at Loew's Palace. The third week of "The Little Foxes" at RKO Keith's was good for $7,500.

Estimated receipts for the week ending Oct. 15-16:

"The Feminine Touch" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: The Hartmans, Jack Gilford, Jack LaVier, Cortellos, Rhythm Rockets. Gross: $19,000. (Average, $15,500)

"When Ladies Meet" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,000. (Average, $4,000)

"One Foot in Heaven" (W.B.)
WARNERS' METROPOLITAN — (1,600) (28c-44c) 7 days, return engagement. Gross: $8,000. (Average, $3,500)

"The Little Foxes" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 3rd week. Gross: $7,500. (Average, $6,000)

"Hold Back the Dawn" (Para.)
WARNER'S EARLE — (2,300) (28c-39c-55c-66c-77c) 7 days. On stage: Rufe Davis, Chris Cross, Hudson Wonders, Adele Gerard, Roxyettes. Gross: $18,700. (Average, $15,000)

"Honky Tonk" (M-G-M)
LOEW'S PALACE — (2,300) (39c-55c) 7 days. Gross: $22,500. (Average, $15,000)

Iowa Group to Meet In Protest on 16 mm.

DES MOINES, Oct .22.—A committee recently appointed of Iowa film industry members to investigate the 16mm. and portable circuit situation in the state will meet here Monday. F. E. Judd, Monogram local franchise manager, is chairman. Other members are: E. J. Tilton, Warner manager; Joseph Manfre, Paramount manager, and Mrs. C. S. Hoffman, W. H. Eddy, W. P. Grossman and A. B. Pettit, exhibitors.

The committee was formed recently when theatre interests expressed concern over the large number of portable film outfits which were operating in the state.

'Truth' and 'Yank' Strong in Buffalo

BUFFALO, Oct. 22.—"Nothing But the Truth" led here with $15,000 at the Buffalo. "A Yank in the R. A. F." continued strong in a second week at the Great Lakes with $11,900.

Estimated receipts for the week ending Oct. 18:

"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
BUFFALO — (3,489) (35c-55c) 7 days, Gross: $15,000. (Average, $12,000)

"A Yank in the R.A.F." (20th-Fox)
"The Smiling Ghost" (W.B.)
GREAT LAKES—(3,000 (35c-55c) 7 days, 2nd week. Gross: $11,900. (Average, $7,500)

"Hold Back the Dawn" (Para.)
"World Premier" (Para.)
HIPPODROME—(2,100) (35c-50c) 7 days, 2nd week. Gross: $7,300. (Average, $6,800)

"Father Takes a Wife" (RKO)
"Ice-Capades" (Rep.)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Gross: $6,000. (Average, $7,500)

"Ladies in Retirement" (Col.)
"Two Latins in Manhattan" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $6,300. (Average, $6,300)

'Yank' New Haven Hit, Scores $11,000

NEW HAVEN, Oct. 22. — Business was generally good. "A Yank in the R A. F." at the Loew-Poli took $11,000. The second week of "Sergeant York" at the Roger Sherman at advanced prices grossed $7,300.

Estimated receipts for the week ending Oct. 16:

"Honky Tonk" (M-G-M)
"Harmon of Michigan" (Col.)
COLLEGE—(1,499) (40c-50c) 7 days, 2nd week. Gross: $4,200. (Average, $2,700)

"A Yank in the R.A.F." (20th-Fox)
"Private Nurse" (20th-Fox)
LOEW-POLI—(3,040) (40c-50c) 7 days. Gross: $11,000. (Average. $8,000)

"Hold Back the Dawn" (Para.)
"World Premiere" (Para.)
PARAMOUNT—(2,346) (39c-50c) 7 days. Gross: $6,700. (Average, $4,500)

"Sergeant York" (W. B.)
ROGER SHERMAN—(2,200) (44c-55c) 7 days, 2nd week. Gross: $7,300. (Average $5,000)

Build Gulfport Houses

GULFPORT, Miss., Oct. 22.—Southern Amusements, Inc., is building two new theatres in this city.

'Foxes' Pulls Big $26,100 to Lead Boston

BOSTON, Oct. 22.—In a week of high grosses "The Little Foxes" coupled with "Unexpected Uncle" took $26,100 at the Keith Memorial. "Lady Be Good" and "The Lone Wolf Takes a Chance" grossed $15,700 at Loew's State and $19,200 at Loew's Orpheum for a total high of $34,900.

Estimated receipts for the week ending Oct. 15:

"Sing Another Chorus" (Univ.)
KEITH BOSTON—(2,697) (30c-35c-55c-65c) 7 days. Vaudeville including Ted Lewis and his orchestra with the Rythm Rhapsody Revue and the George Rodgers Dancers. Gross: $19,100. (Average, $8,000)

"The Little Foxes" (RKO)
"Unexpected Uncle" (RKO)
KEITH MEMORIAL — (2,907) (30c-35c-45c-55c) 7 days. Gross: $26,100. (Average, $16,000)

"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
METROPOLITAN — (4,367) (28c-30c-45c-55c) 7 days. Gross: $20,500. (Average, $15,500)

"A Yank in the R. A. F." (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
PARAMOUNT — (1,797) (28c-30c-45c-55c) 7 days, 2nd run. Gross: $11,400. (Average, $7,500)

"A Yank in the R. A. F." (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
FENWAY — (1,320) (28c-30c-45c-55c) 7 days, 2nd run. Gross: $7,200. (Average, $4,500)

"Navy Blues" (W. B.)
"Highway West" (W. B.)
SCOLLAY — (2,500) (28c-30c-45c-55c) 7 days, 3rd run. Gross: $4,700. (Average, $4,000)

"Lady Be Good" (M-G-M)
"The Lone Wolf Takes a Chance" (Col.)
LOEW'S STATE (3,000) (28c-35c-45c-55c) 7 days. Gross: $15,700. (Average, $12,000)

"Lady Be Good" (M-G-M)
"The Lone Wolf Takes a Chance" (Col.)
LEW'S ORPHEUM—(2,900) (28c-35c-45c-55c) 7 days. Gross: $19,200. (Average, $17,500)

'Rich' Is Montreal Winner with $7,500

MONTREAL, Oct. 22.—"You'll Never Get Rich" at the Capitol drew $7,500. "Hold Back the Dawn" took $8,100 at the Palace.

Estimated receipts for the week ending Oct. 16:

"Lydia" (U.A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days. Gross: $4,200. (Average, $4,000)

"Citizen Kane" (RKO)
LOEW'S—(2,900) (35c-47c-67c) 7 days, 2nd week. Gross: $5,200. (Average, $7,000)

"Bad Man of Missouri" (W.B.)
"The Smiling Ghost" (W.B.)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $5,800. (Average, $2,500)

"Hold Back the Dawn" (Para.)
PALACE — (2,200) (30c-45c-62c) 7 days. Gross: $8,100. (Average, $7,000)

"You'll Never Get Rich" (Col.)
CAPITOL — (2,800) (30c-45c-62c) 7 days. Gross: $7,500. (Average, $4,000)

See Stagger Plan Ottawa Gross Aid

OTTAWA, Oct. 22.—Theatre attendance here is expected to increase from the plan of staggering working hours to relieve the strain on transit facilities, owing to the large number of war workers here.

The plan will be given a trial here early next month, and managers look for relief from the present attendance peak about 8 p.m. With more workers leaving their jobs early, it is felt a greater number of persons will attend earlier shows.

"IT'S A DI

More thrilling and suspenseful than any air epic out of Hollywood.
John Chapman

Thrilling, absorbing, exciting. These adjectives hardly seem sufficient."
Daily Mirror

What a show! Don't miss it.
Quentin Reynolds in Collier's

Tensely dramatic and suspenseful. Most decidedly worth seeing.
Journal American

One of the "must see" films of 1941!
Variety

Leaves you limp with excitement. Terrific!
World-Telegram



Produced under the direction
of Harry Watt
A WARNER BROS. PRESENTATION

ECT HIT!

Thanks for the headline, Mr. Winchell!

ET
OR
IGHT"
IS
PS!

No film yet made has surpassed, or can even equal this.
N. Y. Times

Highest rating. Most thrilling picture.
N. Y. Daily News

A "must" that comes just under drawing your next breath!
N. Y. Post

Packs a terrific punch. Highly exploitable. Should score heavily.
Film Daily

One of the most absorbing dramas to ever reach the screen!
N. Y. Herald Tribune

Most sensational!
Hedda Hopper

And what an opening week-end at Broadway's Globe Theater! As terrific as the picture!

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 26	You'll Never Get Rich (M) *Fred Astaire* (1940-41)	(1941-42 Releases) Lady Be Good (M) 202 *Ann Sothern Robert Young* Dr. Jekyll and Mr. Hyde (D) 201 *Spencer Tracy Lana Turner* Down in San Diego (D) 203 *B. Granville*	Gunman From Bodie (O) *Buck Jones* (1941-42)	Hold Back the Dawn (D) 4103 *Charles Boyer* (1941-42)	Reglar Fellers (C) 125 *Billy Lee Carl Switzer* (1940-41)	Death Valley Outlaws (O) 172 *Don Barry* (1941-42)	Lady Scarface (D) 203 *Judith Anderson* (1941-42)	Last of the Duanes (O) 209 Man at Large (D) 210 (1941-42)	Lydia (D) *Merle Oberon Alan Marshal* (1941-42)	It Started With Eve (M) *Deanna Durbin* (1941-42)	Sergeant York (D) 101 *Gary Cooper* (1941-42)
Oct. 3	Two Latins from Manhattan (M) *Jinx Falkenberg* (1941-42)	Honky Tonk (D) 204 *Clark Gable Lana Turner*	Adolescence (D) Tonto Basin Outlaws (O) (1941-42)	Buy Me That Town (D) 4102 *Lloyd Nolan* (1941-42)	Dangerous Lady (D) 115 *Neil Hamilton June Storey* (1940-41)	Sailors on Leave (C) 109 *Wm. Lundigan Shirley Ross* (1941-42)	Father Takes a Wife (C) 204 *Menjou-Swanson* (1941-42)	A Yank in the R.A.F. (D) 211 *Power-Grable* (1941-42)		Mob Town (D) *Dead End Kids Tough Guys* (1941-42)	Law of the Tropics (D) 105 *C. Bennett* (1941-42)
Oct. 10	Texas (O) *Wm. Holden Claire Trevor* (1941-42)	Married Bachelor (C) 205 *Robert Young Ruth Hussey*	Top Sergeant Mulligan (D) *Nat Pendleton* (1941-42)	Nothing But the Truth (C) 4101 *Bob Hope* (1941-42)	Jungle Man 126 (D) *Buster Crabbe* (1940-41)	Mercy Island (D) 110 *Ray Middleton Gloria Dixon* (1941-42)	Bandit Trail (O) 281 *Tim Holt* (1941-42)	Great Guns (C) 212 Riders of the Purple Sage (1941-42)	New Wine (M) *Ilona Massey Alan Curtis* (1941-42)	Never Give a Sucker An Even Break (C) *W. C. Fields* (1941-42)	International Squadron (D) 106 *Ronald Reagan* (1941-42)
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Smilin' Through (M) 206 *J. MacDonald Gene Raymond*	Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Hard Guy 205 (D) *Jack LaRue* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)	Niagara Falls (C) (Streamliner) *Tom Brown* (1941-42)	Burma Convoy (D) South of Tahiti (D) (1941-42)	The Maltese Falcon (D) 107 *H. Bogart Mary Astor* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell Binnie Barnes* (1941-42)	Feminine Touch (C) 207 *R. Russell Don Ameche*	Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Billy the Kid Wanted 257 (O) *Buster Crabbe* (1941-42)	Gauchos of Eldorado (O) 162 3 Mesquiteers (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Moon Over Her Shoulder (C) 215 *Lynn Bari*		Flying Cadets (D) *William Gargan Edmund Lowe* (1941-42)	
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy Rise Stevens*	Zis Boom Bah (C) *Grace Hayes* (1941-42)	Night of January 16 (D) 406 *Rob't Preston-Ellen Drew* Skylark (C) 4107 *C. Colbert-R. Milland Brian Aherne*	Mr. Celebrity 114 (D) *Buzzy Henry James Seay* (1940-41)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)	Hot Spot (D) 216 *Grable-Landis Vic Mature* (1941-42)	Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March Martha Scott* (1941-42)
Nov. 7	The Stork Pays Off (C) *M. Rosenbloom Rochelle Hudson* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson Edw. Arnold*	I Killed That Man (D) *Ricardo Cortez* (1941-42)	Among the Living (D) 4108 *Albert Dekker Susan Hayward* Birth of the Blues (M) 4109 *Bing Crosby Mary Martin* Glamour Boy (C) 4110 *Jackie Cooper Susanna Foster*	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray F. Langford* (1941-42)	Blues in the Night (M) *Priscilla Lane Betty Field* (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell Myrna Loy*	Double Trouble (C) *Harry Langdon* (1941-42)		Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry Smiley Burnette* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	Swamp Water (D) 218 *Huston-Brennan Dana Andrews* (1941-42)	Corsican Brothers (D) Miss Polly (C) (Streamliner) (1941-42)	Paris Calling (D) *Scott-Bergner* (1941-42)	
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*				Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)			Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)	They Die With Their Boots On (D) *Errol Flynn O. De Havilland*
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)				Swamp Woman 201 (D) *Ann Corio Jack La Rue* (1941-42)	Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez*		Twin Beds (C) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello Martha Raye* (1941-42)	
Dec. 5	Sing for Your Supper (C) *J. Falkenburg Buddy Rogers* (1941-42)				Billy the Kid's Round-Up (O) 258 *Buster Crabbe* (1941-42)	District Attorney vs. the Carter Case (D) *James Ellison* (1941-42)				Don't Get Personal (C) *Hugh Herbert* (1941-42)	
Dec. 12	Honolulu Lu (D) *Lupe Velez Leo Carrillo* (1941-42)					Red River Valley (O) *Roy Rogers Gabby Hayes* (1941-42)	Dude Cowboy (O) 282 *Tim Holt* (1941-42)			The Wolf Man (D) (1941-42)	

[Dates Are Based on National Release Schedules and Are Subject to Change

Company Gave Bioff $100,000 Keough States

(Continued from page 1)

witnesses if an overnight study of the testimony indicated that it was necessary, but stated that this would be unlikely. Defense counsel will start their case tomorrow and they estimated that it would take two weeks. Following this, the Government will have the right to introduce rebuttal evidence.

Stockholders File Suits

In the meantime, during the court proceedings it was learned that two new stockholders' suits had been started which named George E. Browne and Bioff as defendants. A suit against Loew's by Abraham N. Geller, attorney for Justus I. Landauer, holder of 80 shares, asked for the return of approximately $500,000 allegedly paid to Browne and Bioff. A suit against 20th Century-Fox was brought by Koenig & Bachner, on behalf of Jerome M. Stein, a stockholder, asking for an accounting, with no amount specified.

Keough testified to meeting Bioff in the latter's hotel room, in May, 1937, after a previous call from Bioff, and being told of a two-year deal whereby major companies were to pay $50,000 annually. Bioff referred him to Nicholas M. Schenck and S. R. Kent for details, Keough said.

Keough stated that he again met Bioff on May 28, 1936, and was told "there was to be some meeting at which he (Bioff) had to report that some payment had been made by Paramount. He was going to Chicago and, if I didn't get it before, I could send it to him in Chicago."

Sent Arthur Israel

Keough said he raised $7,500 in cash and sent Arthur Israel, Jr., with an envelope containing the money to Bioff at the Hotel Bismark in Chicago. He testified that $4,000 was raised by a voucher by Y. Frank Freeman marked "charge suspense to be accounted for," drawn on Paramount Service Corp., and $3,500 additional from company sources which he could not recall.

Keough said he gave Bioff $20,000 in cash on Sept. 15, 1936, the money being obtained on vouchers marked "working funds, home office, $5,000," and "distribution, working funds, $15,000." Subsequently, Keough said, he ordered that the entries on the books be made correctly and that they read, "corporation expense." After being told by Bioff that he was shifting his offices to Hollywood, Keough said he arranged in January, 1937, to introduce Henry Herzbrun, former studio attorney, to Bioff.

Discussed Payments

Keough said he told Herzbrun that he was to pay the balance of the $72,500. "I told him that the payments need not be paid all at one time but that the balance of (the first) $50,000 was to be made shortly; that the payments were to be in cash and to be handled in a confidential manner," Keough said.

Keough testified that he also told Walter B. Cokell, studio treasurer, and George Bagnall about the transaction, and that he told Bioff that further payments would be made from the studio. In August, 1937, Herzbrun requested $12,500 and this amount was sent to him, he testified, and in January, 1938, Bioff received an additional $10,000 in cash from Keough in New York. "I told him it was the last $10,000 of the $100,000 payment and he said that it was right," Keough said.

"I regarded the making of these payments to Mr. Bioff and such others as were with him in receiving the money as necessary to preserve my company from possible and very probable financial disaster," Keough concluded on direct examination.

Cross-examination was brief.

Earlier in the day, Samuel Carlisle, Warner controller, completed his testimony and two secretaries of Albert Warner, vice-president and treasurer of Warner Bros., told how Bioff had picked up envelopes from their desks. These witnesses were Eileen Forman and Shirley Frankel, although the latter was unable to identify Bioff in court.

Herzbrun Testifies

Herzbrun followed Keough on the stand and told how he obtained $50,000 in cash from a company check and placed the currency in a joint safe deposit box with A. C. Martin, studio controller. On Jan. 23, 1937, Herzbrun said, he gave Bioff $22,500 of this amount at IATSE Hollywood offices and an additional $20,000 at the studio on May 10, 1937. On Aug. 27, 1937, Bioff asked for $20,000 more, Herzbrun said, but as only $7,500 was left in the box, he asked Keough for $12,500 more. This amount was received in the form of a check at the Bank of America; it was cashed and $20,000 delivered by Herzbrun to Bioff at the latter's home, according to the testimony. There was no cross-examination.

Martin followed to tell how a $50,000 check as drawn to the order of Herzbrun with the check voucher reading "Option on certain real estate properties which we have under consideration and which for obvious reasons I do not wish to disclose." There was no cross-examination.

Israel followed and told of his trip to Chicago on May 28, 1936. Upon arrival at that city, he telephoned Bioff and was told to come to the latter's room in the Bismark Hotel. He said he saw Bioff for only "a minute or two" and left immediately.

Firms Face China Currency Problems U.A. Manager Says

(Continued from page 1)

that it is widely recognized there that films are essential to civilian morale. The solution, he said, is entirely up to Washington.

Goltz reported that all distributors are doing "sensational" business in China. The war, he said, has affected only a small proportion of the total film market and that business in Free China has more than doubled to compensate for losses elsewhere. He said the increase in business was due to the flow of population from occupied and war areas into Free China.

There are no restrictions on the withdrawal of currency from Free China, Goltz said, but the exchange results in a cost of almost 25 per cent. The transportation of prints from Shanghai, the shipping center, to Free China, is a difficult and lengthy procedure, however, Goltz said. He pointed out that shipments must be routed by boat to Thailand and shipped overland by the Burma Road from there to Free China. Films are frequently three to four months in transit from Shanghai to Frec China as a result, he said.

Bombs Force Move

Goltz said that bombed theatres in China frequently are known to reopen within 14 days in a neighboring location, due to the ability of their operators to remove essential equipment to places of safety during air raids. Business is excellent in Shanghai, he said, and two new first run theatres, the Majestic and Queens, have just been opened there. New subsequent run houses are under construction in the International Settlement, he said.

Chinese studios in Shanghai and Hong Kong are turning out an increasing number of pictures in both Mandarin and Cantonese dialogue. These films are improving in quality and are making steady progress in the market there, he reported.

Japanese censorship throughout occupied China has made it impossible to exhibit any films of an international controversial nature, Goltz said.

Two Grand Rapids Complaints Filed

(Continued from page 1)

Century-Fox and Paramount are named in the first complaint, and RKO, Loew's, Vitagraph and 20th Century-Fox in the second. Both complaints charge that the two Grand Rapids theatres are forced to wait a minimum of 80 days for pictures.

They charge that the Butterfield first run has 60 days clearance over the same circuit's second run, that second run has seven days clearance over third run, third run has seven days clearance over fourth run which has seven days clearance over the Galewood. The complaint also charges that Butterfield's first run Savoy causes a delay in availability to the complainants exceeding the minimum schedule and clearance actually aggregates 95 to 150 days after first run theatres insofar as complainants' theatres are concerned.

The complaints ask an arbitration award fixing the maximum clearance for their houses at 60 days after first run and a shortening of the clearance schedules between the intermediate runs.

Hearing of the clearance complaint of the Gale Theatre, Galesburg, Mich., was begun at the local board today before Edmund M. Brady, arbitrator. The house is seeking a reduction to seven days of the present 67-day clearance over it of Kalamazoo first runs. The Butterfield Circuit and Kalamazoo Theatres, Inc., have intervened in the case.

Arbitrator Defers Action In Oriental Clearance Case

CHICAGO, Oct. 22.—Efforts today by counsel for Balaban & Katz, Paramount, 20th Century-Fox and the McVickers Theatre, to have dismissed the clearance case of the Oriental Theatre, were deferred by Hayes McKinney, arbitrator. . McKinney questioned the value of Section 8 of the consent decree, which relates to clearance, in this situation.

ANOTHER REPUBLIC FAN MAGAZINE AD

GOOD NEIGHBOR TALK ABOUT A BIG PICTURE

SI! Sil Amigos . . .
WE'RE tossing our
SOMBREROS in the
AIR for the gayest
FIESTA of the year!
AMERICA'S favorite
SINGING, riding, fighting
STAR, GENE AUTRY, crosses
THE Rio Grande for the
MOST exciting adventure



OF his career!
GENE'S an all-star show
IN himself . . . But
REPUBLIC has surrounded him
WITH its most lavish
CAST. There's your
OLD pal,
SMILEY BURNETTE
AND amusing HAROLD
HUBER riding with
GENE across the plains . . .
THERE'S lovely FAY McKENZIE,
AS a sultry-eyed senorita who
MELTS when Gene starts singing
"MARIA Elena," "Down Mexico
WAY" . . . and lots
MORE! Fay's that
SENSATIONAL
DISCOVERY from
"MEET the People".
YOU'LL be wanting
TO meet her
AGAIN and again!
SI! Sil There's
MUCHA Songs!
MUCHA Laughs!
MUCHA Thrills!
MUCHA Senoritas!
SEE! SEE!
"DOWN MEXICO WAY"
IT'S





A REPUBLIC PICTURE

Majors Plead Not Guilty to Minn. Charge

(Continued from page 1)

fight the state law through to "the finish." He said that, since the company cannot sell under the Minnesota law while it is bound by the Federal consent decree, Paramount will apply to Federal Judge Henry W. Goddard in U. S. District court, New York, in the near future, for an exemption from the decree's sales provisions insofar as Minnesota is concerned.

This will be done, Findley said, in order to protect the company's theatre accounts in the state during the extended time required to contest the state law's constitutionality in the courts.

[In New York, Austin C. Keough, Paramount secretary and general counsel, issued a statement confirming Findley's observations. Keough said that the application to Judge Goddard would be made as soon as Thomas D. Thacher, attorney for Paramount, returns to New York within a few days.

[That Paramount would adopt this procedure was reported by MOTION PICTURE DAILY on Oct. 20.]

Findley stated that Paramount is convinced the state law is unconstitutional and intends to defend itself to the limit against the charge it violated the act. He has been instructed, he said, "to take all necessary steps to come to a final decision on that contention." He said he believed the Minnesota legislature was "not well advised in its enactment of the law."

Findley said that many Minnesota exhibitors believe that they would be parties to a violation of the state law if they concluded deals under the consent decree method. He said it was for this reason that Paramount planned to go to Judge Goddard for the exemption which would give them some relief. He said Paramount contends that exhibitors would not be guilty of a violation under such circumstances because it believes the law to be unconstitutional.

It was pointed out that the theatres cited as entering into deals which Paramount, RKO and 20th Century-Fox now are charged with having made, are not parties to the charges.

Col. Western Meet In Frisco Tomorrow

(Continued from page 1)

Fisher, H. M. Lentz and N. Newman, salesmen. San Francisco: L. E. Tillman, branch manager; C. Scott, P. Weinstein, E. Roberts, M. M. Klein and L. L. Savage, salesmen. Seattle: Neil Walton, branch manager; R. A. Ackles, W. K. Beckwith and W. Kostenbader, salesmen.

Salt Lake City: William G. Seib, branch manager; K. Lloyd, M. Gustaveson, H. Green and A. L. Campbell, salesmen. Denver: Robert C. Hill. branch manager, B. M. Shooker, S. Dare, S. Cramer and T. J. Robinson, salesmen. Portland: James R. Beale, branch manager, C. E. Tillman, W. T. Withers and L. S. Metzelaar, salesmen.

Allied Starts Machinery For All-Industry Group

(Continued from page 1)

vention in Philadelphia last month, was ratified by the board. The committee includes Col. H. A. Cole, president; Roy E. Harrold, Jack Kirsch, Sidney Samuelson and Martin Smith.

The directors met here in conjunction with the convention of Allied M.P.T.O. of Western Pennsylvania.

The board cited the following as deserving the early consideration of a national joint conference committee: policy and action in reference to taxation; safeguarding "the good name of the industry as a whole"; plans for meeting increased competition from other entertainments; institutional advertising and other goodwill activities; protecting priorities ratings; formulation of "an acceptable distribution system to be adopted when the consent decree lapses."

One of the major phases of the plan, it was indicated, would be the "discussion and, if possible, adjustment or modification of the policies or practices of one branch or member thereof which are opposed by another branch." As a party to such a committee, Allied will take no outside action until efforts to adjust grievances within the committee are exhausted, it was stated.

In an address to the AMPTO convention, Col. Cole said that the industry under present conditions must make some sacrifices and regulate itself, in order to obviate excessive Government influence.

Rosenberg Elected

Officers of the regional unit were elected as follows: president, M. A. Rosenberg; vice-president, Harry Walker; treasurer, Joseph Gellman; secretary, Fred Herrington. Directors elected include Bennett Amdur, Charles R. Blatt, Fred Beedle, George Corcoran, C. E. Herman, Guy Ide, Frank Panoplis, Carl Poke and William R. Wheat, Jr.

Exhibitors must sell the film industry to the American public, as well as motion pictures themselves, Claude F. Lee, director of public relations for Paramount, told the convention today.

He declared building goodwill for the industry is not a job of the moment, but a matter of permanent vigilance. He emphasized the need for industry unity.

"The job of interpreting the real character and fiber of the motion picture as an institution of society is not one for pretentiousness . . . but a genuine and sincere effort to give the people a chance to know and understand us. We must find a way to make the public aware of the far-reaching substance of the business,' Lee said.

Conn. Unit Votes to Follow Allied Course on Unity Plan

NEW HAVEN, Oct. 22.—Allied Theatre Owners of Connecticut voted at a special meeting to follow whatever course national Allied decides upon with respect to the unity proposal, but again affirmed its disapproval of the proposal. At a recent meeting the organization voted unanimously against the proposal, but called the special meeting to reconsider. Dr. J. B. Fishman presided at the meeting.

Exhibitors also aired their views of the consent decree and the consensus was that thus far great hardships had been worked under the system. National Allied will be urged by the Connecticut group to undertake a poll of exhibitors on the decree.

Canada Music Union Dispute is Settled

(Continued from page 1)

States or any other organization outside the Dominion."

Murray's statement was revealed following disclosure of the settlement of the differences between the Canadian musicians' union and the R. C. A. F. over public appearances of the Air Force central band.

Major Murray disclosed that he recently conferred with Petrillo in New York, giving the A. F. M. head to understand that interference in Canadian radio affairs would not be tolerated. He is understood to have told Petrillo "there could be no question of American control of the Canadian musicians' union."

The settlement of the R. C. A. F. difficulties followed conferences between Air Minister Power and Walter Murdoch, Canadian board member of the musicians' union. The union is said to have interfered with R. C. A. F. bands and Canadian Broadcasting Corp., not only attempting to keep the Air Force band off the air, but charging CBC for permission to record programs for Canadian troops overseas.

NBC to Continue Backing of BM

Niles Trammell, NBC presid yesterday declared that NBC wo give continued support to Broad Music, Inc., despite the proposed d with Ascap.

Trammell said NBC would exec license agreements with BMI to concurrently with those proposed w Ascap; provide for payments i same amounts as those current ing made so long as BMI reve and expense budgets remain the sa and provide for an increase or crease in such payments depend upon and proportionate to any crease or decrease in the BMI r enue and expense budget.

No discrimination between B and any other licensor would be ma on the network if the quality of B music does not go lower, Tramm stated.

Trammell set Oct. 29 for a me ing of NBC-Blue station affiliates a Oct. 30 for NBC-Red. The meetin originally had been set for Nove ber.

Ascap Awaits Word On Closing of Pact

Definite advice as to the date which NBC and CBS propose formally close the new Ascap licensi agreement is expected by the mus society's board of directors at meeting today, it was indicated ye terday.

Indications are that if definite wo as to the closing and the return Ascap music to the major networ is not received by the board toda Ascap will set its own deadline.



Assets to your business, to the trouble-free-operation of your equipment, are the electrical instruments carried by the Altec Service man. These instruments, 30 times more sensitive than the human ear, detect troubles in their early stages, before they cause major breakdowns.

Gothic "harness: mechanized defens in the year 1480

While the country's defense forces are forming their first lines of defense with the vital metals needed for projection room equipment and its parts, what is the exhibitor's first line of defense against premature wear, premature wear-out of projection room machinery? The first line of defense is Altec Service: it prolongs the life of parts, makes them perform at high efficiency throughout their entire service life. Today, more than ever before, it's good business judgment to do business with Altec.

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ALTEC SERVICE SAVES, PROTECTS, PRESERVES THE EQUIPMENT . . . . . AND ALL ITS PARTS

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ntelligent
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o the Motion
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 50. NO. 82 NEW YORK, U.S.A., FRIDAY, OCTOBER 24, 1941 TEN CENTS

eport W.B. ut Bernhard Over Sales

ears Remains, His Talks With U. A. Ended

Joseph Bernhard, general man-er of Warner Bros. theatres, it s reported last night, will assume w and more important duties as neral manager of the company. that capacity sales as well as eatres will come under his juris-ction. Gradwell L. Sears, who s been in charge of distribution, ll continue under Bernhard.

Discussions between Sears and United Artists officials concerning the presidency of U. A. are understood to have been ended, with Sears remaining at Warner Bros.

Benjamin Kalmenson, Southern and estern division manager, who was have been elevated as assistant to rnhard, continues in his position der Sears.

Termination of the talks with Sears r the United Artists presidency sub-antiates MOTION PICTURE DAILY'S ories of Wednesday and yesterday at no deal was imminent and that e choice of a United Artists presi-nt is not likely to be made until the

(Continued on page 6)

Denies Dismissal of Browne, Bioff Case

Federal Judge John C. Knox yes-rday denied all defense motions for rected verdicts of "not guilty" in the xtortion trial of George E. Browne nd William Bioff.

The defense will start its testimony 10:30 A.M. today. According to eorge Breslin, attorney for Bioff, he defendants will take about two eeks to present their side. Bioff is most likely" to take the stand on his wn behalf, Breslin said, and there ill be from 15 to 20 witnesses, in-

(Continued on page 3)

Managers Hosts at Party in Pittsburgh

PITTSBURGH, Oct. 23.—Local ex-hange managers will be hosts at the nnual banquet of the Pittsburgh Va-iety Club in the club's quarters Nov. , following the Pittsburgh-Ohio State ootball game. In the past John H. Harris, national chief barker, has been

(Continued on page 7)

Guild Sues Studios For 6,000 Extras, Claiming Overtime

HOLLYWOOD, Oct. 23.—What might be the greatest bookkeeping headache in Hollywood's history was filed today in Federal Court. On behalf of its some 6,000 extra player members, the Screen Actors Guild brought action against 14 production companies seeking what may amount to hundreds of thousands of dollars in back pay, overtime and penalties under provisions of the Fair Labor Standards Act.

The suit actually names some 1,000 players and specifies amounts assertedly due them for overtime in working in excess of 44, 42 and 40 hours weekly since inception of the act. If brought to trial without compromise, the action may result in each company producing records in Federal Court showing that each of the 6,000 Guild members has or has not worked in excess of the statutory limitation.

Defendants are Alexander Korda Films, 20th Century-Fox, Universal, Columbia, M-G-M, RKO, Republic, Warners, Paramount, Wanger, Roach, Selznick, Small, and Goldwyn.

The Guild started negotiations with producers for overtime assertedly due

(Continued on page 6)

Willkie Honor Guest At Pioneers Dinner

Wendell L. Willkie has accepted an invitation to attend the Fall conference dinner of the Picture Pioneers as guest of honor, Jack Cohn, head of the film veterans' organization, stated yesterday. The dinner will be held at Toots Shor's restaurant next Wednesday evening.

Due to the large number of reservations already made, attendance will be limited to members of Picture Pioneers, Cohn stated.

Minn. Anti-5 Trial Slated for Nov. 24

St. Paul, Oct. 23.—Trial of the actions charging Paramount, RKO and 20th Century-Fox with violating the state's anti-block-of-five law today was set for Nov. 24 after attorneys for the companies entered not guilty pleas in Ramsey County district court here. The late trial date was asked so that the defendants could determine whether or not they wish to demur. The attorneys in pleading not guilty reserved the right to withdraw the plea in event a demurrer action is brought.

Para. Petitions Decree Escape On Minn. Sales

Paramount yesterday obtained an order from Federal Judge Henry W. Goddard in U. S. District court here to show cause why the company should not be exempted from the sales provisions of the consent decree to permit it to sell in Minnesota while the constitutionality of the state's anti-block-of-five law is being tested in the courts.

The order is returnable Oct. 31 before Judge Goddard, at which time Thomas D. Thacher, counsel for the company, will argue the merits of the petition.

It was reported yesterday that two consenting companies might oppose the Paramount petition at the hearing but confirmation of the report was not obtainable. It was said that opposi-

(Continued on page 6)

Inquiry Subcommittee Members Doubt Early Meeting to Decide Its Future

Washington, Oct. 23.—Members of the Senate propaganda investigating committee today expressed doubts whether they would be able to get together next week to decide upon the future of their investigation of motion pictures.

While Senator Charles W. Tobey of New Hampshire, who has been out of the city for some time, is due to return to Washington Monday, Chairman D. Worth Clark said there was some question whether the group could meet because of the scheduled debate on Neutrality Act revision.

The original plan was for the committee to get together, probably on Monday, to make arrangements for viewing some of the pictures which have been discussed and for resumption of hearings on Nov. 3.

Majors to Get $20,000,000 From England

Base Is 50% Annual Gross Of Last Two Years

LONDON, Oct. 23.—The eight major American distribution companies will be authorized to withdraw $20,000,000 from England under the new monetary agreement for the year beginning next Monday, it was reliably reported here today.

The withdrawal amount, representing 50 per cent of the companies' annual British business during the past two years, is said to have been tentatively agreed upon by Board of Trade, United States Embassy and company representatives, but still requires the formal approval of the Treasury. An announcement by the latter is regarded as imminent.

[MOTION PICTURE DAILY reported Oct. 15 that 50 per cent of the major companies' British revenue, made up of release of

(Continued on page 7)

Report $3,600,000 As GB Deal Figure

LONDON, Oct. 23.—It is understood here that the deal by which General Film Distributors interests would take control of Gaumont British from the Ostrer Brothers involves £900,000 (approximately $3,600,000). The deal is expected to be closed momentarily, with all details understood to be settled. Existing operations are expected to remain as they are. Arthur Rank of General Film, financing the deal, who will be chairman of the new setup, also is a director of the Odeon Circuit.

Companies Save U.S. Money on S.A. Trips

WASHINGTON, Oct. 23.—Traveling expenses of motion picture personalities who have made recent tours of South America in cooperation with Nelson Rockefeller have been borne by their companies, it was disclosed today by officials in the office of the Coordinator of Inter-American Affairs.

As a result, it was pointed out, the

(Continued on page 6)

Personal Mention

WILLIAM K. SAXTON, city manager for Loew's in Baltimore, is visiting in New York.

•

STERLING WAY, manager of the Boulder Theatre, Boulder, Colo., and MRS. WAY are in town.

•

FRED SCHANBERGER, JR., publicist at Keith's Theatre, Baltimore, has returned from New York.

•

IRVING MARTIN, publicist at Warners' Stanley, Baltimore, will spend the weekend in Norfolk, Va.

•

ARTHUR GREENBLATT has returned from the South.

Blake in Charge of Talent for Selznick

Carter Blake, general stage director last Summer at the Selznick theatre in Santa Barbara, and for several years director of the American Academy of Dramatic Arts here, has been placed in charge of talent by David O. Selznick. Blake will maintain offices here and on the Coast.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
FRED ASTAIRE . RITA HAYWORTH
"YOU'LL NEVER GET RICH"
A Columbia Picture
ON GREAT STAGE: "UP OUR ALLEYS"—a gay, spectacular revue, produced by Leonidoff. Symphony Orchestra, direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Paramount Presents Bob Hope
Paulette Goddard
"NOTHING BUT THE TRUTH"
IN PERSON
THE ANDREW SISTERS
JOHNNY LONG AND BAND
PARAMOUNT TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW ROXY 7th AVENUE 50th STREET

RKO PALACE B'WAY & 47th St.
Henry Fonda • Joan Bennett
"WILD GEESE CALLING"
—plus 1st N. Y. Run—
"WEEKEND FOR THREE"
Jane Wyatt - Dennis O'Keefe

Continuous From 9.30 A.M.
POP. PRICES 35¢ TO 1 P.M.
Children Any Time 25¢
Walt Disney's DUMBO
BROADWAY THEATRE • 53 ST. & B'WAY
Distrib. by RKO Radio
Mezz. Seats Reserved

Late News Flashes from the Coast

Hollywood, Oct. 23

SCREEN ACTORS GUILD Class A members were given details of the new Army and Navy camp entertainment program at a meeting last night. Professional actors are to appear at 72 theatres at various encampments. Stars and featured players will receive traveling expenses, all others being paid full salaries. The program will be financed by the President's Citizen Committee of the Army and Navy, which will obtain funds from the USO, and an admission charge of 25 cents will be made.

• •

Norman Moray, Warners short subjects sales manager, announced today that two short subjects dealing with the Ballet Russe de Monte Carlo would be sold separately to exhibitors. The films are "Gay Parisienne" and "Spanish Fiesta," both two reels in Technicolor. The Ballet is expected to make two more in January, "Prince Igor" and "Blue Danube," and there is a possibility it may run through its entire repertoire in succeeding subjects.

• •

John Rogers, son of Charles R. Rogers, and Monty Schaff have formed Rogers-Schaff Productions with plans to make three musicals in Technicolor. "Powers Girl" is the first scheduled. They announced that a releasing deal is being discussed.

• •

Sam Coslow, producer of shorts for coin film machines, today telegraphed Sen. Burton K. Wheeler and members of the Senate subcommittee investigating alleged film propaganda, protesting Sen. Wheeler's recent assertion that such films are improper. Coslow said these pictures are subject to censorship and offered to screen them for the Senators.

Power Cut May Hit Southeast Houses

WASHINGTON, Oct. 23.—Theatres in the Southeastern states may be affected by the rationing of electric power in that area, which was seen probable tonight under a tentative program prepared by the OPM to deal with the power shortage in that section.

Details of the OPM plan have not been revealed, and no action can be taken to make the program effective until an executive order has been issued giving the OPM and SPAB the authority to fix power priorities.

Metro Will Preview Show Builder Today

M-G-M today at 1 P.M. in the Rose Room of the Hotel Astor will hold a preview exhibition of the traveling automotive unit No. 1 of the "show builder," for the trade press and company executives. The exploitation device, designed to visit smaller situations throughout the country, is a specially constructed truck, and was conceived by Howard Dietz, director of advertising and publicity. W. R. Ferguson, exploitation manager, is supervising the units.

Navy Calls Fairbanks

WASHINGTON, Oct. 23.—The Navy Department today ordered Douglas Fairbanks, Jr., Naval Reserve lieutenant, to active duty with the fleet, but did not disclose the ship to which he has been assigned.

THEATRE OWNERS
ATTENTION
AVAILABLE AFTER OCT. 25
SHOWMAN of EXCEPTIONAL EXPERIENCE and ABILITY
Specialist in Circuit or Single Theatre Operation—Anywhere English Is Spoken
BUYING — BOOKING — PUBLICITY
BOX 202, MOTION PICTURE DAILY

Para., F & M Buy Hollywood House

LOS ANGELES, Oct. 23.—Paramount and Fanchon & Marco today announced the acquisition of the El Capitan Theatre, Hollywood, which will be jointly operated by them and is designed to provide Paramount with a Hollywood show window.

The deal was negotiated by Leonard Goldenson, head of Paramount theatre operations, in association with Fanchon & Marco and C. E. Toberman. The house will be completely remodeled and refurnished under the direction of W. L. Pereira, Paramount studio architect, and Hal Pereira, his brother, a Chicago architect. It is scheduled to be reopened at Christmas as the Paramount Hollywood Theatre.

It is understood that the company will retain the Paramount Theatre in Los Angeles.

Deny Review of Ohio Picketing Decision

SPRINGFIELD, O., Oct. 23.—Declaring "that it does not appear from the record that the Federal question presented by the petition was necessarily decided by the lower court," U. S. Supreme Court denied a review of the decree of the Ohio Supreme Court, restraining the A. F. of L. from picketing the Liberty Theatre here, according to advices from Washington.

In appealing the case, Local 352 of the IATSE said the picketing, which was peaceful, resulted from the theatres refusal to employ union operators. It charged violation of the constitutional right of freedom of speech.

'Yank' in Montreal Shown to RCAF Unit

MONTREAL, Oct. 23.—The opening of "A Yank in the R. A. F." at the Palace here tomorrow will be featured by a guest showing for 400 officers and men of the RCAF Wireless Training School. The trainees will parade to the theatre. Lobby and lounge displays will feature the RCAF theme.

Newsreel Parade

THE Windsors' visit to New Yor pictures of American troops Iceland, the production of quantiti of the implements of war in vario U. S. plants, and the outstanding foo ball games of last week featured t newsreel issues. The contents:

MOVIETONE NEWS, No. 14—U troops in Iceland. Stratosphere plane fam in California. Navy tests dive bomber Buffalo. Mass plane delivery from vario bases. World's biggest bomber dedicated Long Beach, Cal. Britain speeds aid Russia. Girls work on anti-aircraft in En land. Wild bird migration. Army-Yale fo ball. American glider competition, Wurt boro, N. Y. Skiing at Mount Kosciusk Australia.

NEWS OF THE DAY, No. 212—U-bo attacks on U. S. ships. Training plan ready for U. S. pilots. New York gree the Windsors. Russians greet Nazi raiders with bullets. Harriman reports Soviet. U. S. troops in Iceland. Army Yale football.

PARAMOUNT NEWS, No. 17—Mau hurt in New Jersey train accident. U. troops in Iceland. Coast cement plant tur out emergency orders. New York thrill by visit of Windsors. New York America vs. Columbus in pro-football. Hunti season opens in Oregon.

RKO PATHE NEWS, No. 17—Brita ships tanks to Russia. Harriman speaks Russian aid need. New destroyers commi sioned in Brooklyn. LaGuardia and Smi greet Duke of Windsor in New York. Ai plane laboratory tests plans in Californi Cement output speeded in California plar Niagara span opened. Many injured New Jersey train crash. Fort Monmou vs. Rutgers, football.

UNIVERSAL NEWSREEL, No. 26. More U. S. ships sunk. Destroyer launche at Brooklyn, and submarine at Portsmout N. H. American troops in Iceland. Dougl plant dedicates bomber in California. Ma plane deliveries in Downey, Cal. Englis tanks bound for Russia. Windsors vis New York. Niagara Falls span dedicate Texas Aggies vs. T. C. U.; New Yo Americans vs. Columbus, football. Wome wrestlers in New Jersey.

Three Circuit Deals Are Closed by RK

Deals on new season RKO produc have been closed with three additiona circuits. Malco Circuit, including 1(Southern houses, has signed for th second group of five; Robb & Row ley, 85 houses, for the first and secon blocks, and Associated Circuit, 2 Ohio houses, for the first and secon groups.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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rowne, Bioff Plea For Dismissal Is Denied by Court

(*Continued from page* 1)

ding international presidents of a nber of unions.

Whether these labor leaders will be led as character witnesses or to tes- about some of the alleged trans- ions was not disclosed. Breslin used to name the leaders but said fically that William Green, AFL sident, was not under subpoena and uld not be called.

Long Argument

Arguments on the motions for di- ted verdicts lasted almost two urs, with Martin Conboy, Browne's orney, and John Burling, assistant S. Attorney, the main participants. nboy's argument stressed almost clusively the three-year statute of itations. He argued that the 0,000 annual payments were com- ted by January, 1938, and that the ree-year statute had expired before e indictment was returned in May, 41. He declared that commission yments of Smith & Aller, Ltd., paid alleged designees of Bioff, which ntinued up to the time of the in- ctment, were not extortion under the rms of the statute nor under the in- ctment. He said that Smith & Aller ere not victimized because they emselves suggested the agency ar- ngement and that Loew's lost noth- g by the arrangement because they uld not receive a rebate or cut in ice.

Burling asserted that the whole plan as "a single series of events" begun ith the election to the IATSE presi- ncy of Browne in 1934 and his ap- intment of Bioff as representative, e reentry of the IATSE into the sic pact and a series of strikes in 935, and the demand for, and pay- ent of money beginning in 1936 and ntinuing with the payment of com- issions until the date of the indict- ent, in May of this year. He pointed ut that the reimbursement vouchers ntinued until 1940.

Loew's Forced, Says Knox

Judge Knox interrupted to say that, ter the alleged threats, "Loew's ansmitted the force of the blow to mith & Aller" who made the pay- ents thereafter. Judge Knox de- lared that the right to choose the ompany from which to buy raw tock is "a valuable consideration." I think Loew's was forced to effect trade they would not otherwise do," ne court said. The net result was the ame as if the money was taken from Loew's till."

Other formal motions to dismiss for ailure of the prosecution to prove its ase were denied, as were motions to trike from the evidence large por- ions of testimony. Bioff's attorneys elied on Conboy's arguments and dopted them as their own and the ourt made similar rulings.

There will be only a morning ses- ion today as Judge Knox has other ngagements for the afternoon.

Booth Fire Is Fatal

DE GRAFF, O., Oct. 23.—Explosion of a film in the booth of the Roxy here caused minor injuries to Neal Piper, operator, and fatally burned his 10-year-old sister, who had gone to the theatre with a message for her brother and remained in the booth to see the picture.

Reviews

"Appointment for Love"

(*Universal*)

THE complications encountered by newlyweds whose professional careers and laboratory theories of domestic life and jealousy confound rather than smooth the period of their so-called "adjustment," here provide again the framework for a well-dressed comedy for marital misadventures.

Margaret Sullavan, as Dr. Jane Alexander, is the exponent of the don't-let-marriage-interfere-with-the-career theory and also the possessor of the scientific disdain of jealousy. Charles Boyer is the disapproving, and up to the last reel, thwarted, husband. As a playwright whose past flirtations have been numerous and whose occupation occasionally thrusts him into rehearsals of amorous scenes out of his plays, his responsibility for the trying situations which plague the couple almost equals those engendered by the wife's professional duties and scientific theories of marriage. Of the latter, the most disastrous is her determination to maintain a separate apartment of her own which, at a time which might otherwise proved romantically rewarding, results in her spending the night alone in his apartment while he is doing the same in hers. Once the whereabouts of each on that particular night had been explained, a single apartment obviously is all that needed thereafter.

Rita Johnson and Ruth Terry as carry-overs from Boyer's bachelor days; Eugene Pallette as his producer; Reginald Denny as a former friend and patient of Miss Sullavan's, and Gus Schilling as an elevator operator who tries unsuccessfully to mind his own business, contribute excellent support. Cecil Kellaway as a caretaker and Roman Bohnen as a doctor are good in lesser roles.

Exhibitors should find the picture easy to sell on the basis of cast names, and romantic situations and numerous obvious catchlines out of the dialogue. Once sold it is sure to please.

William A. Seiter directed in the proper light mood and Bruce Manning, producer, has given the picture a generous helping of sleek, rich trappings which it wears with grace.

Running time, 90 minutes. "G."* SHERWIN A. KANE

*"G" denotes general classification.

"Three Girls About Town"

(*Columbia*)

Hollywood, Oct. 23

COLUMBIA'S "Three Girls About Town" is a madcap farce, chock-full of laughs based on a variety of situations. The story deals with the efforts of two hotel convention hostesses and the manager atttempting to hide the body of a supposedly murdered guest in order that the hotel not be ruined by unfavorable publicity. A newspaperman stumbles onto the secret, identifies the "body" as a government labor mediator, and gets entangled with the law himself, after averting a threatened strik. The mystery of the "body" is uncovered and all ends well.

Many of the situations and lines are on the adult side, and some of them tread on various toes. The struggle over the "body" occurs while a morticians' convention is being held, for one thing. Joan Blondell and Binnie Barnes as the hostesses, Janet Blair as their sister; John Howard as the reporter, Robert Benchley, as the manager, Eric Blore, Hugh O'Connell, Una O'Connor, Almira Sessions, Dorothy Vaughan, Paul Harvey, Frank McGlynn and Walter Soderling all deliver handsomely in their roles. Leigh Jason directed this William Bischoff production.

Running time, 72 minutes. "A."* VANCE KING

*"A" denotes adult classification.

31 Critics Expected For 'Valley' Opening

Thirty-one newspaper critics are scheduled to attend the premiere of "How Green Was My Valley" at the Rivoli next Tuesday, it was announced yesterday by 20th Century-Fox. The announcement listed them as follows:

Norman Clark, Baltimore *News-Post;* Charles Howard and Marjory Adams, Boston *Globe;* Helen Eager, Boston *Traveler;* Prunella Hall, Boston *Post;* Peggy Doyle, Boston *Record-American;* Joyce Dana, Boston *Sunday Advertiser;* W. E. J. Martin, Buffalo *Courier-Express;* E. B. Radcliffe, Cincinnati *Enquirer;* E. V. Dinerman, Cincinnati *Post;* Arthur Spaeth, Cleveland *News;* Richard Peters, Cleveland *Press;* Frank Gill, Detroit *Free Press;* Al Weitschat, Detroit *News;* Charles Gentry, Detroit *Times;* Robert E. Murphy, Minneapolis *Star-Journal;* Keith Wilson, Omaha *World-Herald.*

H. T. Murdock, Philadelphia *Public Ledger;* Don Craig, Washington *News;* Nelson Bell, Washington *Post;* Jay Carmody, Washington *Star;* Bernie Harrison, Washington *Times-Herald;* Lucia Perrigo, Chicago *Herald American;* Doris Arden, Chicago *Times;* Phil Koury, Kansas City *Star;* Herbert L. Monk, St. Louis *Globe-Democrat;* Harold Cohen, Pittsburgh *Post Gazette;* Kaspar Monahan, Pittsburgh *Press;* Mitch Woodbury, Toledo *Blade;* Buck Herzog, Milwaukee *Sentinel;* Bruce Palmer, Oklahoma City *Daily Oklahoman.*

B'way Patrons Like War Pictures; Three Draw Big Grosses

Three pictures with a war theme—"A Yank in the R. A. F.," "Sergeant York" and "Target for Tonight," the latter a British film—are drawing good grosses on Broadway.

"Target for Tonight" gave the Globe a "terrific" week estimated at $12,500. It starts a second week today. The first week of "Sergeant York," with Phil Spitalny's orchestra, brought the Strand an estimated $40,000. "A Yank in the R. A. F." still going strong at the Roxy, grossing an estimated $40,000 for its fourth week, ending last night, and continues.

At the Capitol, "Honky Tonk" is still the attraction, having started a fourth week yesterday. The third week's business amounted to an estimated $21,500. "All That Money Can Buy" at the Radio City Music Hall, with the stage presentation, drew an estimated $78,000, and was replaced yesterday by "You'll Never Get Rich."

'York' at $23,000 Cleveland Smash

CLEVELAND, Oct. 23.—"Sergeant York" reached a smash $23,000 at slightly increased prices at Warners' Hippodrome. "Our Wife" earned an excellent $18,500 at the RKO Palace.

Estimated receipts for the week ending Oct. 16-17:

"Little Foxes" (RKO)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $6,600. (Average, $4,000)
"Sergeant York" (W. B.)
WARNERS' HIPPODROME—(3,800) (44c-50c-60c) 7 days. Gross: $23,000. (Average at 33c-39c-47c, $11,000)
"Our Wife" (Col.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Willie Howard and "Beachcombers Revue of 1942" on stage. Gross: $18,500. (Average, $13,500)
"Nothing But the Truth" (Para.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $13,500. (Average, $11,000)
"Honky-Tonk" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 3rd week. Gross: $7,000. (Average, $4,000)

'Honky Tonk' Pulls $13,000 in Toronto

TORONTO, Oct. 23.—"Honky Tonk" earned $13,500 at Loew's. "Major Barbara" grossed $12,000 at the Imperial.

Estimated receipts for the week ending Oct. 18:

"Quiet Wedding" (Br.)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 days. Gross: $5,600. (Average, $4,500)
"Major Barbara" (U.A.)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $12,000. (Average, $9,000)
"Honky Tonk" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $13,500. (Average, $9,000)
"A Yank in the R.A.F." (20th-Fox)
SHEA'S—(2,480) (18c-30c-42c-60c-90c) 6 days, 3rd week. Gross: $10,000. (Average, $9,000)
"Manpower" (W.B.)
"The Smiling Ghost" (W.B.)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. Gross: $4,000. (Average, $3,900)
"Unfinished Business" (Univ.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 5 days, 2nd week. Gross: $10,500. (Average, $9,000)

Phila. Exchange Opening

PHILADELPHIA, Oct. 23.—After several postponements, Oct. 29 has been set as the official opening of the new RKO exchange building here.

8 out of 8 En



* LOEW'S, **ROCHESTER**—WARNER'S AVON, **UTICA**—LOEW'S STATE, **PROVIDENCE**—UNITED ARTISTS, **SAN FRANCISCO**—LOEW'S MAJESTIC, **BRIDGEPORT**—WARNER'S CAPITOL, **SPRINGFIELD, MASS.**—WARNER'S, **WORCESTER**—LOEW'S STATE, **SYRACUSE!**

and This We

...gements

...prove it's the year's top AUDIENCE-APPROVAL HIT!

* *8 out of 8* cities flash the identical box-office story! "Second day bigger than first . . . third day bigger than second . . . fourth day biggest of all!"

If it had happened in one spot, it might be just a happy accident! But it happened the same week in 8 out of 8... and the only answer to that is a GREAT AUDIENCE-APPROVAL PICTURE!

"A tense and engrossing show. It's as fresh as newspaper headlines. Terrific suspense and action!" — *Liberty Magazine*

"Has tremendous appeal for the masses. Timely, interesting drama with a fascinating background!" — *Showmen's Trade Review*

"Exciting screen fare, lavishly produced!" — *Harrison's Reports*

"A fine box-office attraction . . . fast-moving, action filled story, crammed with adventure, suspense and excitement." — *Motion Picture Daily*

"Exciting and entertaining melodrama. Should be a business getter in every type of theatre." — *Variety*

"Filled with action and suspense. A spy story of no small proportions, as contemporary as this very minute." — *Motion Picture Herald*

Edward Small presents

George BRENT ★ *Ilona* MASSEY ★ *Basil* RATHBONE

in

INTERNATIONAL LADY

with

Gene Lockhart · Marjorie Gateson · George Zucco · Martin Kosleck

Directed by Tim Whelan · Screenplay by Howard Estabrook

From an original story by E. Lloyd Sheldon & Jack DeWitt

RELEASED THRU UNITED ARTISTS

...atch her in more than a hundred cities from coast to coast!

Report W.B. Put Bernhard Over Sales

(Continued from page 1)

company owners return to the Coast next week for meetings of the full board. Mary Pickford expects to leave Tuesday and David O. Selznick may leave about the same time.

The stumbling block in the discussions for Sears to take over the United Artists' presidency was said to be terms asked by the Warner executive, which were viewed by the United Artists' officials as excessive.

Bernhard, according to *International Motion Picture Almanac*, has been with Warner Bros. since 1929 and formerly was identified with the Stanley Co. of America. He is president and general manager of Warner Bros. Circuit Management Corp., operating about 430 theatres.

Ascap Delays Setting Nets' Pact Deadline

With indications now that the new Ascap-networks licensing agreement may be formally closed early next week, the Ascap board of directors deferred action on setting a deadline for the signing of the pact at its meeting yesterday. It was intimated, however, that the regular monthly meeting of the board next Thursday may take action on a deadline for signing if the agreements with NBC and CBS are not closed by then.

Reviews

"Weekend for Three"

(RKO)

CURRENTLY there appears to be a wave of pictures concerned with the marital problems of young married couples, with jealousy from one source or another rearing its head to provide plot material. This RKO film is of that type and affords a measure of light and unpretentious entertainment.

Dennis O'Keefe plays the young husband, with theories on feminine psychology which are not personally practiced; Jane Wyatt is the wife, who gives the husband a few moments' uneasiness, and Philip Reed is the former friend of the wife, who drops in for a weekend, and appears about to stay forever, the while monopolizing the wife and keeping the husband up in night clubs until all hours. Such veterans as Edward Everett Horton, Zasu Pitts and Franklin Pangborn offer excellent support.

Irving Reis directed and Tay Garnett produced. Repetitious in plot development, the film nevertheless moves well. Their attempts to get Reed to leave proving useless, O'Keefe and Miss Wyatt resort to trickery. The difficulty with that method, however, is that it sows the seeds of jealousy in the mind of the husband, and later, for similar reasons, in the mind of the wife. The problem resolves itself when the husband and wife leave the house—together.

Running time, 65 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

"Hard Guy"

(Producers Releasing)

THIS is a minor melodrama concerning a night club proprietor who guides his feminine personnel into marrying playboys and then collects from the victims' social register parents.

Jack La Rue, Mary Healy, Kane Richmond, Iris Adrian, Gayle, Mollott, Jack Mulhall and Ben Taggart are the principals in the film, which was directed by Elmer Clifton with George R. Batcheller in charge of production.

Running time, 68 minutes. "A."* EUGENE ARNEEL

*"A" denotes adult classification.



Papers—Radio Split Seen Up to Congress

WASHINGTON, Oct. 23.—Separation of broadcasting and newspapers is desirable but involves problems which probably only Congress can solve, the FCC was told today by Irving Brant, St. Louis *Star-Times* commentator.

Testifying at the hearings on newspaper ownership of stations to which the commission is devoting one or two days a week, Brant said diversity in the ownership of communications media is of general benefit but suggested it might not be possible now entirely to divorce newspapers and stations.

The primary motive of a newspaper in acquiring a radio station, he said, is to "exert more power and influence." In many instances, he pointed out, radio advertising revenues have increased while those of the newspapers owning the stations have declined, so that many publishers have come to depend on their radio interests for revenue.

Guild Sues Studios On Extras' Overtime

(Continued from page 1)

atmosphere players, following the final classification of extras as non-exempt from provisions of the Act by the Department of Labor. Apparently those negotiations failed, and the suit is the answer. However, Guild Attorney L. W. Beilenson specified in the action that if the suit is compromised without proceeding to trial, the Guild will forego the law's double penalty provision.

Para. Petition Decree Escape On Minn. Sale

(Continued from page 1)

tion might be entered on the gro that if the court were to make an ception of the Minnesota situat similar state legislation might be acted elsewhere throughout the co try, and that to exempt Paramo alone would not materially relieve product situation in Minnesota.

None of the other consenting c panies has indicated thus far tha intends to follow Paramount's co by making a similar application Judge Goddard.

The Paramount petition was f by Louis Phillips, home office at ney, and A. C. Bickford of the Si son, Thacher & Bartlett law firm.

Brought Under Decree

The action is brought under Sect 23 of the decree which provides an application by consenting c panies to the court for relief from ligations or prohibitions imposed u them by the laws of any state wh may conflict with the decree. Paramount petition asks specific for release of the company from c pliance with Sections 3 and 4 of decree, the trade showing and bloc of-five sales provisions, pending det mination of the actions to test constitutionality of the Minnesota l

Meanwhile, United Artists, wh had planned to close its Minneap branch tomorrow, has decided to k the exchange open pending the o come of the three test cases in St. P county court started this week agai Paramount, RKO and 20th Centu Fox. Those cases are expected provide the first determination of t constitutionality of the Minnes anti-block-of-five law, under whi United Artists has stated it can operate even though it is not bou by the consent decree.

Companies Save U. Money on S. A. Trip

(Continued from page 1)

travel cost of the Motion Pictu Division has been very light.

Recognizing that the limited sources of the division would not pe mit of unlimited travel expense, t companies have been very cooperati and have shouldered the cost of ma trips, it was said. In this way, t expenses of Walt Disney's recent Lat American trip, said to be about $6 000, were paid by RKO.

The most extensive traveling by c ficials of the office has been by Jo Hay Whitney and his associate, Francis Altstock. Whitney, as an c ficial of Pan-American Airlines, e joys the possession of a pass, whi he has made use of to save the Go ernment money. Altstock's travelin expenses are said to have amount to about $13,500, between New Yo and California.

Mexican Producer Dies

MEXICO CITY, Oct. 22.—Armand Vargas de la Maza, 53, producer a member of an old and prominen Mexican family, died here last wee of a heart ailment. He had been pr ducing for 10 years.

ajors to Get 20,000,000 rom England

(Continued from page 1)

cked funds and remittances of xt year's earnings, would be thorized for withdrawal under new monetary agreement.]

ile the amount reported agreed is the largest authorized for re- ance since the start of the war, regarded in American trade cir- here as less than had been antici- d. American interests had asked had hoped for the release of all heir revenue blocked during the two years, amounting to an esti- ed $40,000,000, and, in addition, sought the right to withdraw all nue collected during the year No- ber, 1941, to November, 1942.

Stress Lease-Lend Aid

n asking for the full release of r British revenue the American panies have stressed the easing of ain's credit position through the multi - billion - dollar lease - lend sures, and the role of an uninter- ed, full-line service of films in ntaining public morale in Britain wartime. The American companies, ite the fact that their British rev- e was drastically curtailed by the ious two monetary agreements, er initiated any move to reduce portionately the number of films to England.

loreover, the past two monetary eements have contained specific visions for the reopening of nego- ions looking to more liberal with- wals in the event that Britain's lar position should be improved ing the course of the agreements. e Americans have repeatedly con- ded that the lease-lend measures e accomplished this result.

Includes Blocked Funds

The withdrawals under the new eement will consist in part of the ease of some of the American com- ies' funds which now are blocked, l the remainder will be in remit- ces out of next year's revenue.

The first of the two previous mone- y agreements authorized the with- awal of $17,500,000, representing an imated 50 per cent of the average enue of seven companies for the o preceding years. The second eement, expiring Monday, permit- l the remitting of $12,900,000 by the ht major companies, or approxi- ately one-third of their revenue. niversal was covered by a separate eement during the first year of the ar.

lanagers Hosts at Party in Pittsburgh

(Continued from page 1)

st. Harry Kalmine, Warner Thea- es executive here, is chairman.

A number of company executives om New York are expected to at- nd. The hosts include: James Alex- nder, Nat Beier, Ira Cohn, Peter ana, Mark Goldman, Herbert Green- att, David Kimmelman, Lew Lef- n, Arthur Levy, Perry Nathan, larry Seed and B. D. Stoner.

A special plane will leave New ork at 9 A.M., Saturday, Nov. 1, on non-stop flight to Pittsburgh, reach- g here at 11:14 A.M.

SMPE Concludes Fall Meeting Here

The improvement in the technical quality of films today because of the use of new fine-grain film was outlined yesterday by V. C. Shaner of the Eastman Kodak Co., at the concluding day's sessions of the semi-annual convention of the Society of Motion Picture Engineers at the Hotel Pennsylvania.

The four-day meeting ended with two technical sessions, one in the morning, a fine-grain film symposium, and the last in the afternoon, a session on sound.

Using finer grains of silver produces better pictures and clearer sound, Shaner told the delegates. Other papers on fine-grain film were read by C. R. Daily, J. R. Wilkinson, F. L. Rich, and L. L. Ryder, all of the Paramount studios.

The session on sound was featured by papers on recent improvements in control tracks for theatre reproduction, the design and use of film noise reduction systems, light-valves, and the elimination of reproduction noises as the result of splicing film.

The society's next convention will be held in Hollywood in the Spring.

Evidence Submitted In Oriental Hearing

CHICAGO, Oct. 23.—Exhibits offered in support of and against motions for dismissal of the Oriental Theatre's clearance complaint were admitted as evidence in the case at the hearing by the local arbitration board today.

Distributor respondents and Balaban & Katz, an intervenor, contended today that the clearance relief sought by the Oriental would necessitate a change in the entire clearance schedules of the city. The case was adjourned to Saturday.

End Hearing on St. Louis Complaint

ST. LOUIS, Oct. 23.—Hearing of the clearance complaint of Victor Thien, owner of the neighborhood Palm Theatre, against Paramount and 20th Century-Fox, was ended here today. Thien is seeking a reduction of the clearance held by the Aubert and Union, St. Louis Amusement Co. houses, over the Palm. Former Circuit Judge J. Wesley McAfee is arbitrator.

Para. Shorts Heads Hold Chicago Meet

CHICAGO, Oct. 23.—Fifty-eight independent wholesale newsdealers of Illinois, Indiana, Southern Michigan, Wisconsin and Minnesota today met with Paramount short subject executives at the Stevens Hotel here to plan a campaign for "Superman" shorts. The local tieup is with the *Chicago Times* in conjunction with first-run showings in Balaban & Katz houses. Attending from the Paramount home office were Oscar Morgan, Monroe Goodman and Manny Reiner.

Sell Minneapolis House

MINNEAPOLIS, Oct. 23.—The Berger Amusement Co. has sold the 300-seat Esquire Theatre here to the American Theatre Co., effective Dec. 1. Berger operates 11 other houses in this area.



MERCY ISLAND

Ray MIDDLETON • Gloria DICKSON

OTTO KRUGER

DON DOUGLAS • FORRESTER HARVEY

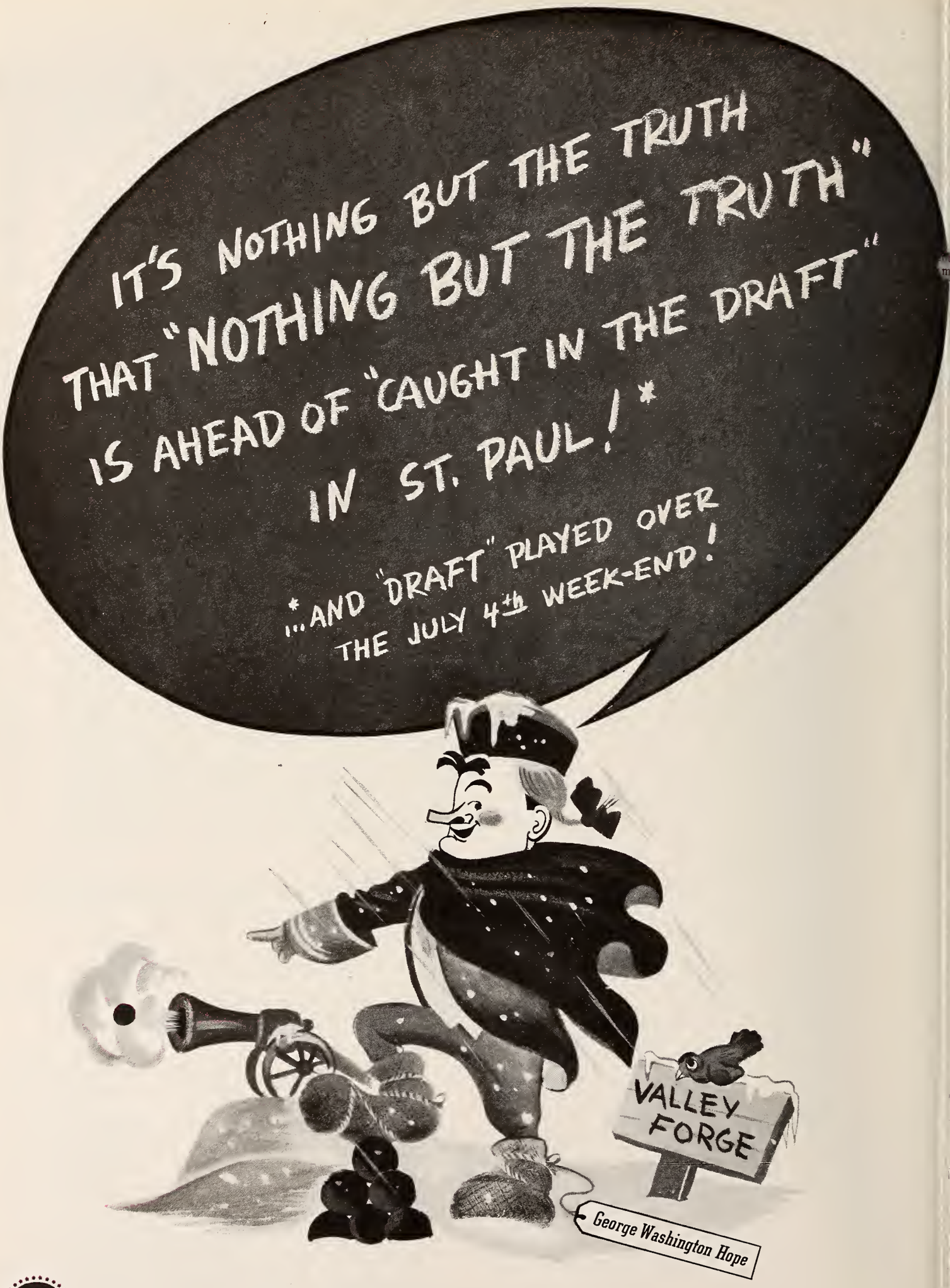
TERRY KILBURN • WILLIAM MORGAN—Director

Screen play by Malcolm Stuart Boylan

From the novel "Mercy Island" by Theodore Pratt

A REPUBLIC PICTURE

Buy U.S. Defense Bonds



Paramount Pictures

Watch for more box-office communiqués from the man of the hour, George Washington Hope!

lert,
telligent
nd
dispensable
o the Motion
icture
dustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 50. NO. 83 NEW YORK, U.S.A., MONDAY, OCTOBER 27, 1941 TEN CENTS

nglish Fund $37,500,000 At Maximum

ithdrawals to Include $20,000,000 Revenue

Major company heads were in- med at a meeting of MPPDA ard of directors on Friday that total of currency withdrawals thorized from Great Britain for year beginning tomorrow may gregate anywhere from $30,000,-) to $37,500,000.

The withdrawals will consist of $20,000,000 of the revenue of the eight major companies earned in Great Britain during the ensuing 12 months, plus 50 per cent of the companies' frozen currency in London. Estimates of the aggregate amount which the eight companies may have blocked range from $20,000,000 to $35,000,000.

The eight companies will be authorized to withdraw $5,000,000 from the

(Continued on page 4)

lajors Face Liens On Bioff Payments

The Treasury Department is pre- ring an income tax assessment ainst all companies which have ad- itted payments to George E. Browne d William Bioff, it was learned Fri- y at their trial in Federal Court re. The assessment will be made the amounts of such payments by ch company, it was said.

According to Internal Revenue De- rtment rulings, it was stated, deduc- ons may be made by corporations ly for "ordinary and necessary" ex- nses. Payments such as those de- ribed by prosecution witnesses, it as pointed out, may have been "nec- ssary" but were not "ordinary." A

(Continued on page 7)

Fitzgibbons Ampa Guest Wednesday

J. J. Fitzgibbons, president of Famous Players Canadian, will be guest of honor at the Ampa luncheon meeting at the Hotel Edison on Wednesday. Douglas C. Cole, Canadian trade commissioner, also will attend. The meeting has been scheduled for Wednesday instead of the customary Thursday because of other events which will conflict.

50 Arbitration Cases Decided to Oct. 15, Total of 129 Brought

By SAM SHAIN

There have been 129 arbitrations instituted as of Oct. 15, last, under the terms of the New York Case Consent Decree. Of this number, 50 have been decided. In 27 of the cases decided, the exhibitor has won some benefit, according to a study of the cases. There are 49 arbitrations pending. Thirty have been withdrawn.

The first four decisions by the Appeal Board were in favor of the distributors. A fifth decision was against Loew's, under Section 6.

There have been no arbitrations instituted under Sections 4 and 5. Section 4 relates to selling in blocks-of-five, and Section 5 concerns the licensing of theatres located in more than one exchange district.

This study shows that, in general, arbitrations against the distributors have been decided in favor of the distributors. The reasons are:

1. The exhibitor attempted to secure a particular run.

2. The exhibitor's price demands were unreasonable.

There have been no arbitrations instituted under Section 7, which relates to locally offensive pictures.

Arbitration filed under Section 8 (clearance), in some instances have

(Continued on page 6)

Theatre Television Attempt Brings Suit

The first effort to install large screen television in a Broadway theatre has failed to bring television to the motion picture screen and has resulted in a law suit instead, it was revealed Friday. Midtown Theatre Corp., operator of the Rialto on Broadway, of

(Continued on page 4)

Connors Closes Deal With Para.-Richards

New Orleans, Oct. 26.—Thomas J. Connors, Eastern, Southern and Canadian division sales manager of M-G-M, conferred for three days with E. V. Richards and closed a deal for Metro product for the entire Paramount-Richards Theatre group and affiliates. Richards is believed to be the last Paramount partner "holdout" against M-G-M. After making this deal, Connors is reported to have gone back to New York.

NW Allied Asks Majors Follow Para. On Minn.

By ROBERT MURPHY

MINNEAPOLIS, Oct. 26.—Allied Theatre Owners of the Northwest has called on consenting distribution companies to follow Paramount's lead in seeking Federal court exemption from the consent decree in New York to permit them to resume selling in Minnesota in line with the state's anti-block-of-five law.

Observers here profess to see in the Allied statement evidence of the increasing gravity of the product situation throughout Minnesota.

[The four consenting companies, other than Paramount, indicated over the weekend that they have no plans at this time for following Paramount's example with regard to Minnesota.]

In a statement issued here over the weekend, the Allied unit, which spon-

(Continued on page 6)

Union Wage Rise Will Cost Studios Over $3,500,000 Annually: Casey

The 10 per cent wage increase granted this year to unions in the basic studio pact and offered to IATSE studio locals, which the latter have under advisement, will cost the industry between $3,500,000 and $4,000,000 annually, Pat Casey, producers' labor contact, declared Friday following his testimony at the Browne-Bioff trial.

Casey explained that many skilled mechanics employed in the studios were being offered employment in defense industries at higher wages and that the increase was necessary to keep them in their present posts.

Asked to amplify his statement that a projectionists' strike would have "put the producers out of business" in 1936 or any year thereafter except the current year, Casey said that business has been so good this year that reserves have been built up which would enable the producers to fight if an emergency arose.

Kalmenson Is WB Sales Head; Sears Resigns

Bernhard Slated as Gen. Mgr.; Leserman Leaves

Benjamin Kalmenson was appointed general sales manager of Warner Bros. on Friday by Major Albert Warner, following the resignation the same day of Gradwell L. Sears. The appointment and resignation were effective immediately.



Ben Kalmenson

Carl Leserman also resigned from the company. He was assistant general sales manager. Together, the two men made their farewells to their staffs and executives Friday afternoon.

The statement of Gradwell L. Sears following his resignation will be found on Page 4.

Tomorrow, according to report, the company directorate is scheduled to elevate Joseph Bernhard, president and general manager of Warner Bros. Theatres, Inc., to the post of vice-president and general manager of the distributing company. These are new and more important duties which, it is reported, will be assumed by Bernhard.

Kalmenson in a statement said he would appoint a new Western and Southern division manager within a

(Continued on page 4)

Owners to Consider Acting Head for U.A.

United Artists owners this week are expected to consider the appointment of a new acting head for the company if discussions with candidates for the post of president are unsuccessful. David O. Selznick plans to remain here another week or 10 days for conferences with prospects, it was stated. Mary Pickford plans to return to the Coast tomorrow.

Arthur W. Kelly, U. A. vice-president, is at present acting head.

Whitney to Coast On S.A. Film Plans

John Hay Whitney, chairman of the motion picture division of the Office of Coordinator of Inter-American Affairs, left for California last night. He will be on the Coast about a week, during which he expects to meet with directors of the Motion Picture Society for the Americas, Inc., to report on his recent trip to South America and make preparations for his group's future plans.

Darryl Zanuck Due For 'Valley' Opening

Darryl F. Zanuck, vice-president in charge of 20th Century-Fox production, will arrive by American Airlines this morning from the Coast to attend the opening at the Broadway Rivoli tomorrow night of "How Green Was My Valley."

Herman Wobber, general sales manager, is due from the Coast tomorrow. Donald Crisp and Walter Pidgeon, of the film's cast, will arrive with Mrs. Pidgeon this morning by train from Hollywood.

The opening will be sponsored by a committee headed by Mrs. Cushing Roosevelt for the benefit of the Navy Relief Society, and navy atmosphere will predominate. A U. S. Navy band will play before the theatre, and a vocal concert will be given in front of the house by the Welsh Women's Chorus, supplemented by a male chorus. They will sing Welsh songs, as featured in the film.

SPG Again Votes for Referendum on CIO

The Screen Publicists Guild of New York has voted to hold a referendum immediately on the question of the organization's affiliation with the CIO Screen Office and Professional Employes Guild. A previous referendum scheduled had been canceled.

LaGuardia Rally Today

Personalities of the screen, stage and radio will hold a "stars party for Mayor LaGuardia" at 12:30 today at the Hotel Astor. The luncheon is under the auspices of the Theatrical, Motion Picture and Radio Committee for the Reelection of LaGuardia, McGoldrick and Morris.

BROADWAY PLAYS

"BRILLIANT! . . . MIRACULOUS!" —*Danton Walker, News*
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Mail Orders Promptly Filled

"A GREAT SHOW"—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Monday. Mats. Wed., Sat. & Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

FRED QUIMBY, in charge of short subjects at the M-G-M studio, arrived here over the weekend with MRS. QUIMBY, via American Airlines' *Mercury*.

•

ARTHUR LEE is scheduled to arrive from a month's visit on the Coast today.

•

H. A. STARKE of the Universal studio on the Coast and MRS. STARKE are visiting in New York.

•

GABRIEL PASCAL flew here over the weekend from the Coast on a TWA Stratoliner.

•

L. M. BLEAKLEY, MAURICE METZGER, S. ANDERSON and R. VANDETTE have returned to Montreal after attending the SMPE convention here.

•

HERMAN SHIFFRIN, formerly of M-G-M, is now in the Army at Ft. Eustis, Va.

LEO SPITZ returned yesterday from Chicago.

•

A. J. SEELEY, Keith's Theatre, Syracuse, and J. W. SAWYER, Shea's Theatre, Buffalo, have returned from the SMPE convention here.

•

L. A. BROWN, Eastern technical representative for J. E. Brulatour, Inc., is recuperating at Bedford, N. Y., after an operation at Mount Kisco Hospital.

•

JOSEPH PASTERNAK is due today from the Coast.

•

ANGELO CERRONE of Fishman Theatres, New Haven, and LILLIAN SICLARI were married in New Haven yesterday.

•

WILLIAM WALDHOLZ, chief of motion picture distribution for the Federal Housing Administration, is on a trip to the Coast.

Para. Meeting on 'Purchase' Nov. 14

Paramount will hold a meeting of district managers at the Drake Hotel, Chicago, Nov. 14-15, Neil Agnew, general sales manager, has announced. The meeting will be devoted to discussing merchandising plans for "Louisiana Purchase."

In addition to Agnew, home office executives to attend will include Charles M. Reagan, assistant sales manager; J. J. Unger and G. A. Smith, division managers; Oscar A. Morgan, short subject sales manager; G. B. J. Frawley, Robert M. Gillham, director of advertising and publicity, and Alec Moss, exploitation.

Roosevelt Permits Portrayal in Film

HOLLYWOOD, Oct. 26.—President Roosevelt has granted permission to Warner Bros. to portray him as a character in "Yankee Doodle Dandy," to be based on the life of George M. Cohan. James Cagney will play the lead. The actor playing the part of the President will be seen in opening and closing sequences.

George M. Cohan was reported as resting comfortably at Flower-Fifth Ave. Hospital over the weekend.

Set Stork Club Preview

Twentieth Century-Fox will hold a night club preview of the new film "Hot Spot" at the Stork Club on Wednesday at 4:30 P.M.

MITCHELL MAY, Jr. CO., INC.
INSURANCE
•
Specializing in requirements of the Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Show Builder Unit Is Previewed by Metro

M-G-M's automotive unit No. 1, first of a proposed fleet of trucks, known as "show builder" units, and designed to tour the country with exploitation aids, was previewed at the Hotel Astor on Friday, with members of the trade press and M-G-M executives present.

Maureen O'Sullivan, M-G-M star, christened the truck, followed by a brief talk by Howard Dietz, director of advertising and publicity, who conceived the exploitation plan. Introduced were H. M. Richey, William R. Ferguson, exploitation manager, and Edward Carrier, Ferguson's assistant. Other company executives present included: William F. Rodgers, E. K. O'Shea, E. M. Saunders, Si Seadler, Oscar Doob and C. K. Stern.

PRC Closes Deals For New Product

Producers Releasing Corp. has closed several circuit deals on new season product. They include: Lightman Circuit, Warners and Ike Notes, Washington territory; Bijou Amusement Co., and Martin Circuit, Atlanta; Indiana-Illinois Circuit and Gollos Brothers, Chicago, and P. J. D. Theatres in four towns, Seattle area.

Irving Trust to Wind Up Payments to RKO

Federal Judge William Bondy on Friday authorized the payment by the Irving Trust Co. of $8,892 to RKO as the last funds due from the Irving Trust as former receiver to the film company. At the same time the court authorized the destruction of a number of papers and records still held by the receiver.

Press Room at State

Al Rosen, manager of Loew's State on Broadway, is preparing a press room off the mezzanine of the theatre for the use of critics and other newspapermen covering the Times Square sector. Pages will be available to take copy to the newspaper offices, if necessary, Rosen stated.

Trust Suit Revived Despite Settlemer

PHILADELPHIA, Oct. 26.—The a trust suit filed in 1939 by the Ha son Brothers in behalf of their sub ban Lansdowne Theatre, seeking tri damages of $250,000 against the ei major distributors and Warner Th tres will come up for final hear Nov. 10 in Federal District Co here before Judge William H. patrick.

To all intents and purposes the c was considered settled out of co early last Summer and the new tu of events is considered most unus in view of the fact that the settlem included leasing of the Lansdow to the Warner circuit.

Attorneys for the plaintiffs stat that the settlement with the distrib tors has failed to prove satisfactory actual practice and that the action w proceed against them, with Vitagra (Warners) included and Warn Theatres dropped as a defendant. was also stated that the Harris Brothers would seek only a moneta award since they no longer opera the house.

Subpoenas were issued for distri utor and exchange officials to appe at the trial as witnesses.

Club Appeals for Tickets for Blin

DETROIT, Oct. 26.—The local Var ety Club, sponsoring the concert he Wednesday of Alec Templeton, blir pianist, has appealed to Detroiters buy extra tickets so many of the city blind will be able to attend. Reques have come to the Variety Club fro blind persons desiring to hear Ten pleton, and the Club has asked tha contributors send their checks fo tickets to motion picture editors of th city's newspapers. Proceeds from th concert will be used for charity.

Wins B & K Award

CHICAGO, Oct. 26.—Milton Office manager of the Iris Theatre, has bee awarded the John Balaban gold tro phy for the best managing effort i the past three months, together wit a cash prize of $100. Trophy i awarded every quarter by Balaban & Katz.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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A MESSAGE TO THE CRITICS WHO HAVE COME FROM ALL OVER THE NATION TO COVER

The World Premiere of

HOW GREEN WAS MY VALLEY

at the Rivoli Theatre, New York, Tomorrow Night (Tuesday, Oct. 28)

20th CENTURY-FOX



JAY CARMODY
of the Washington (D. C.) Star

. . You will always remember "How Green Was My Valley" for that great oment when young Huw learns to walk again!



NORMAN CLARK
of the Baltimore News-Post

. . . Your heart will thrill when Beth Morgan faces the angry strikers and arns them not to harm Gwilym, the father of her sons.



PEGGY DOYLE
of the Boston American

. . . You will get your greatest lift when the letter arrives from the Queen nviting the Welsh chorus to sing at the palace!



FRANK P. GILL
of the Detroit Free Press

. . . You will always remember the moment when Dai Bando, the prize-ighter, avenges Huw in the school-house.



CHARLES HOWARD
of the Boston Globe

. . . You will sit on the edge of your chair when the siren shrills "mine disaster!" and a shadow falls on every living soul in the Valley.



LUCIA ABBOTT PERRIGO
of the Chicago Herald-American

. . . . You will be deeply moved by that moment when Gruffydd and Angharad surrender their unspoken love with but a single kiss!

more tomorrow!

Kalmenson Is WB Sales Head; Sears Resigns

(*Continued from page 1*)

short time to fill the post he left. He added that any appointments he makes will be from within the Warner ranks.

On the day before, Warner Bros. announced that Sears was continuing with the company, following the ending of Sears' discussions with U.A. representatives relative to the presidency of U.A. It was indicated then that Bernhard would be general manager and it was known that Kalmenson was slated as his assistant in charge of sales, in effect sales manager. However, three hours hardly had elapsed when that situation shifted—because Sears was to stay.

On Friday, even before the home offices opened, the trade was aware that Sears would leave, this time definitely, and that Leserman was leaving with him.

Sears Has No Plans

Sears in his statement said he had no immediate plans except for a two-months' vacation. In announcing Sears' resignation, Harry M. Warner, president of Warners, stated:

"I sincerely regret Mr. Sears' decision to leave Warner Bros. In his association with the company during the past 21 years, Mr. Sears has been a vital force in the growth of this company to its present position of prominence in the entertainment field. He at all times has commanded the utmost respect and admiration of his associates in Warner Bros. and in the industry as a whole."

"I know," Warner continued, "that Mr. Sears will bring credit to any company with which he is associated, and will continue to further the growth and prestige of one of the world's ranking industries."

Kalmenson, the *International Motion Picture Almanac* records, was with the Crucible Steel Co. of America for 10 years prior to joining First National in Pittsburgh in 1927. He was promoted to manager of the company's branch in Albany, transferred to Omaha and Kansas City as manager and returned to Pittsburgh in January, 1932. Two years later he resigned as Warner-First National manager in Pittsburgh to become chief booker for Warner Theatres in that city. Later he left the theatre department to become Central District manager for Warners with headquarters in Pittsburgh and in December, 1937, was promoted to Southern and Western sales manager.

Started Under Schaefer

According to the *International Motion Picture Almanac,* Sears, who worked as a projectionist while attending school, started with the World Film Co. in New York as a salesman under George J. Schaefer. This was after his discharge from war service with the A. E. F., from which he retired as a first lieutenant. Later he was transferred to the St. Louis office, and subsequently worked for Republic Distributing Corp., Selznick and Vitagraph.

He joined First National Pictures as salesman in December, 1920, in Chicago, and was named Cleveland branch manager in 1925. He was transferred back to Chicago as branch manager in 1928 and the following year was appointed Southern and Western division sales manager. He was named general sales manager for the South and West for Warner Bros. Pictures in March, 1931, and in 1935 became vice-president of Vitagraph, Inc. In August, 1937, he was advanced to general sales manager, and in February, 1938, was elected president of Vitagraph, Inc., the Warner distributing subsidiary.

Sears Praises Warner Bros. On Leaving After 21 Years

The following is the statement issued by Gradwell L. Sears, upon resigning from Warner Bros.:

"I have resigned today my position as general sales manager of Warner Bros. Pictures, Inc., and as president of Vitagraph, Inc., the resignations to be effective immediately. After 21 years with the Warner organization, it is a step that I naturally have taken with a great deal of feeling. I leave with the greatest friendship and the greatest respect for the gentlemen with whom I have worked so long.

Proud of Warner Bros.

"I take considerable pride in the standing of Warner Bros. today in the motion picture industry. I am very proud that I have had a part in building the Warner organization into a leader in the entertainment industry in those same years that the entertainment industry was becoming one of the great industries of the world. The path that the Warner company chose was not always the easiest way, but courageous leadership brought it to the top of its field. I am proud of what part I may have played in that.

"My plans for the immediate future are quite indefinite. What I want most right now is to go hunting for two months at least. The details of what will come after will have to wait.

"Now that I am no longer responsible to them, I should like to say frankly what I think of the three brothers for whom I have worked so long, Harry, Jack and Albert Warner. I believe that they have earned a family respect the equal of that of any family in the world.

"Harry Warner is one of the outstanding citizens of our country today, a great patriot in a time when the country needs great patriots, a sincere and intelligent liberal, a generous giver of his time and money in civic and charitable causes, and a business man of unquestioned ability and integrity.

Lauds Production Head

"Jack Warner is one of the production geniuses of the film business. The high level that motion pictures have attained in recent years is due in no small part to the art and effort that Jack Warner has applied to the productions he has made in the studio in Burbank, Calif.

"Major Albert Warner has contributed more than his good share to the successful direction and operation of an enterprise that is as large and as necessarily complex as a modern motion picture company like Warner Bros. must be.

"The affection, devotion and loyalty of these three brothers to one another and to their company has been an inspiring example."

'Truth' in Baltimore Tallies Neat $15,000

BALTIMORE, Oct. 26. — "Nothing But the Truth" measured up with $15,000 at Keith's, while "Honky Tonk" scored $16,200.

Estimated receipts for the week ending Oct. 16:

"Honky Tonk" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days, 2nd week. Gross: $16,200. (Average, $10,000)
"Nothing But the Truth" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $15,000. (Average, $9,000)
"A Yank in the R.A.F." (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $9,500. (Average, $7,000)
"New York Town" (Para.)
STANLEY — (3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $12,000)
"Ladies in Retirement" (Col.)
HIPPODROME—(2,205) (15c-28c-44c-55c-66c) 7 days. Stage show with Yvette; Four Samuels; Don Cummings, Equillo Bros. and Sibyl Bowan. Gross: $17,000. (Average, $14,000)

Theatre Television Attempt Brings Suit

(*Continued from page 1*)

which Arthur Mayer is managing director, filed proceedings in the N. Y. Supreme Court to confirm an arbitration award of $1,891 against Scophony, Ltd.

Paul Raibourn, in charge of television for Paramount, was arbitrator. He ruled that Scophony had breached a contract made on May 16 to lease large screen television equipment to the Rialto. The award provided that if Scophony provides a television receiver to the theatre within the year, payments of damages should cease.

A large screen receiver had been installed in the Rialto and several tests were made but the FCC ordered several changes in television standards, including an increase in lines from 441 per frame to 525, and the set was not adapted to those standards, Mayer said.

Mayer's announcement that he would have large screen television in his house followed by one week a demonstration by RCA of a major prize fight shown on large screen television over leased telephone wires. Although RCA planned to have the special telecasts made available to theatres only over telephone lines, Mayer said he planned to pick the regular telecasts of NBC and CBS off the air.

A considerable flurry among radio lawyers was caused by this announcement as there is some question as to the right to use broadcasts or telecasts for commercial purposes.

English Fund $37,500,000 At Maximur

(*Continued from page 1*)

new year's earnings on and after N 1, and a like amount during each si ceeding quarter. Withdrawals fr the blocked funds will be permitt two equal amounts on Nov. 1 April 1.

It was stated that there is no ac rate estimate of the frozen money a plicable to the release agreement, d the fact that the language of t agreement itself is subject to differi interpretations which would affect t withdrawal amount and, also, that is not known precisely the amou which individual companies may ha "frozen."

It was pointed out that one or t of the companies have employed th blocked British revenue to liquida their indebtedness in Great Brita and, therefore, these have little or blocked currency to their cred Others have depleted their block sterling through production in En land and the acquisition of Americ distribution rights to British films.

The MPPDA directors on Frid discussed methods of apportioning t sums authorized for withdraw among the eight companies. Indic tions are that the $20,000,000 out earnings for the ensuing year will divided as they were under this year agreement on a percentage based each company's British billings f last year.

A division of opinion exists ov the apportionment of the withdrawa from blocked funds. It has been a vocated that this allotment, too, divided on the same basis as the ear ings withdrawals. However, oth companies, pointing to the discrepanc in the status of some companies tha have been in a position to make use their blocked funds in England, an therefore have small balances froze are advocating what they conten would be a more equitable division.

'Yank' at $10,700 Indianapolis Hig

INDIANAPOLIS, Oct. 26.—"A Yan in the RAF" turned in a stron $10,700 at the Indiana. "Honk Tonk'" did $9,500 at Loew's. Th weather was warm.

Estimated receipts for the week end ing Oct. 17:

"It Started With Eve" (Univ.)
"Sing Another Chorus" (Univ.)
CIRCLE — (2,800) (28c-33c-44c) 7 days Gross: $6,800. (Average, $6,500)
"A Yank in the R. A. F." (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
INDIANA — (3,200) (28c-33c-44c) 7 days Gross: $10,700. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Tanks a Million" (U. A.)
LOEW'S—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $9,500. (Average, $8,000)
"Hold Back the Dawn" (Para.)
"Flying Blind" (Para.)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $3,800. (Average, $4,500)

Union Head Found Dead

DETROIT, Oct. 26.—Edward L. King, business agent of stage employes' Local 38, IATSE, is believed to have committed suicide. Officials previously had decided to drop charges of padding the State Fair payroll which were pending against him.

hort Subject eviews

ill Democracy Survive?"
ternational Forum)
lumbia)
nother in the series of William vland's International Forum sub- which follows in theme and stag- he pattern set by the earlier pro- ions. The discussion principals e are Senator Claude Pepper of rida, Fannie Hurst, Rear Admiral rnell and Johannes Steel, who ex- nge views on the resources of the zis and the chances for Allied vic- with American aid. The consen- is that democracy will survive. nning time, 20 mins. Release, Oct. 1941.

ristocrats the Kennel"
orts Review)
0th Century-Fox)
The camera covers a dog show and its numerous Eastern kennels to eal the painstaking care and train- lavished upon the potential canine mpions by their owners. The sub- t, an Ed Thorgersen sports review, good explanatory commentary ich should heighten its interest for uninformed and make it a wel- ne screen morsel for the initiated. nning time, 10 mins. Release, Sept. 1941.

Welcome Little tranger"
erry-Toon Cartoon)
0th Century-Fox)
The ugly duckling shows up in the icken family again in this Terry- oon in color. Lacking in originality e result is no more than mildly using. Running time, 7 mins. Re- se, Oct. 3, 1941.

The Gallup Poll"
olumbia Panoramic)
Columbia)
The method of conducting a Gallup ll is presented in this subject. Gal- p opinion samplers and the type of ople whose opinions they solicit are picted, together with explanatory mmentary on the system employed d examples of the results obtained. he subject lacks cohsion. Running ne, 10 mins. Release, Oct. 17, 1941.

Dog Obedience"
Sportscope)
RKO Pathe)
The training of dogs to respond to mmands is the subject matter of this bject, and although it will be of questioned fascination for dog-fan- ers and dog lovers, others may find rather below the standard of these sually active sport reels. Running me, 9 mins. Release, Oct. 3, 1941.

The World of Sound"
Cinescope Series)
Columbia)
The development of aids for the ard of hearing is presented with pic- orial samples of their manufacture nd application, with particular em- hasis on the latest audio devices. The ubject is of a technical nature and of mited interest. Running time, 10 ins. Release, Oct. 3, 1941.

Reviews

"Top Sergeant Mulligan"
(*Monogram*)

Hollywood, Oct. 26

ON the basis of its pre-release exhibition at the Los Angeles Orpheum, a downtown house which splits emphasis between pictures and vaudeville (in this case with Gene Krupa's band on the stage), this cantonment comedy possesses what it takes to keep an audience happy. It had this one steadily amused, frequently in stitches.

In common with other comedies about draftees, this one contains a hardboiled top sergeant, two rookies who are victims of his whim, some gag situations that click, some that don't quite, some routines in which other characters participate and, finally, a slapstick finish in which one jeep pursues another at breakneck speed over mountain roads. It also contains a song number by Felix Bernard and Ray Klages which could become a hit, "$21 a Day—Once a Month."

Top name in the cast as listed is Nat Pendleton, but Frank Faylen and Charles Hall, as the rookies, dominate the action and the interest, with Sterling Holloway, as a camp loan shark in uniform, cutting himself in for plenty of laughs. Marjorie Reynolds, Carol Hughes and Betty Blythe carry the feminine assignment, with Dick Elliott, Tom Neal, Maynard Holmes and Wonderful Smith completing the male roster.

A separate paragraph is due Wonderful Smith, the Negro who sparkplugs the Red Skelton radio program, seen here in a long and virtually solo sequence which rates among the funniest routines ever filmed.

Lindsley Parsons, producer, Jean Yarbrough, director, and Edmond Kelso, scenarist, have a good deal to be proud of in this contribution to the gaiety of the season, a trim and pointed picture affording a wealth of entertainment.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

"Billy the Kid Wanted"
(*Producers Releasing*)

THIS is average western fare, with a bit more fist fighting than usual, though there is also plenty of riding and shooting.

Buster Crabbe, as Billy the Kid, and his companions, Al (Fuzzy) St. John, who is called upon to supply the humor, and Dave O'Brien aid some farmers who are at the mercy of a crooked realtor. Some surprises and suspense is created by having O'Brien fight with Crabbe. Eventually the audience and the real estate operator's men and a rival gang discover that the quarrel was only a device to start general fighting. Finally both Crabbe and O'Brien are captured and are ordered to fight it out, but they capture both mobs instead.

Sigmund Neufeld was the producer and Sherman Scott, the director, kept the action moving after a slow opening. The cast also includes Glen Strange, Charles King, Slim Whitaker, Howard Masters, Choti Sherwood and Joe Newfield.

Running time, 64 minutes. "G."* M. Q., JR.

*"G" denotes general classification.

"Sucker List"
(Crime Does Not Pay)
(*M-G-M*)
This is a good addition to the series, whipping up excitement and interest as it presents the case of an organized racetrack tipster service which victimizes those found to be in need of money. One of the victims threatens to expose the gang and is beaten and later dies. A witness to the crime informs the police, who promptly close in on the crooks. Running time, 21 mins. Release, Sept. 27, 1941.

"Donald's Camera"
(Disney Cartoon)
(*RKO*)
Donald Duck decides to be humane and "shoot" with a camera instead of a gun. He goes into the woods and what happens to him when he attempts to take pictures of a stubborn and uncooperative woodpecker, sends him racing back to town for all the arms and ammunition he can carry. An amusing subject in the Disney style. Running time, 7 mins. Release, Oct. 24, 1941.

"Uncle Joey Comes to Town"
(Terry-Toon Cartoon)
(*20th Century-Fox*)
Another variation of that ever-popular cartoon theme, "when the cat's away the mice will play," this Terry-Toon subject offers its share of amusement to any not overweary of the theme. It is merely a new backdrop for the cartoonists' familiar rodent antics. Running time, 7 mins. Release, Sept. 19, 1941.

"In the Sweet Pie and Pie"
(All Star Comedies)
(*Columbia*)
A reversion to the pie-throwing comedies of the old Sennett days, this two-reel subject with the Three Stooges overdoes the pastry-tossing slapstick to a degree which must be seen to be believed. There are only rare flashes of what might be called comedy. The remainder defies classification. Running time, 17 min. Release, Oct. 16, 1941.

Short Subject Reviews

"Don Winslow of the Navy"
(*Universal*)
HERE is a serial with a ready-made potential audience which conceivably can run into almost astronomical figures, because it is based on a highly popular comic strip of the same title, handled by Bell Syndicate, and an equally popular radio adventure series. Also, the subject matter is concerned with the United States Navy, which cooperated in producing.

Henry MacRae, associate producer, gave the material excellent production values, and Ford Beebe and Ray Taylor, co-directors, have kept the pace at white heat, as the effort of a destroyer commander to clean up an enemy submarine base in the South Pacific brings him face to face with one thrill situation after another. Striking Navy maneuver shots feature the opening of the first chapter. Don Terry plays the lead as the destroyer commander, and John Litel is the leader of the enemy agents. In support are Claire Dodd, Anne Nagel, Samuel S. Hinds and Walter Sande, in particular. There is reason to believe that some adult appeal is inherent in the material, if it holds its pace, and of course, there is no question about unlimited youngster appeal. The first chapter runs 25 minutes, the others will run about 20 minutes each. The serial will have 12 chapters. Release, Jan. 6, 1942.

"Sailors With Wings"
(The March of Time)
(*RKO*)
A history of the development of U. S. Naval Aviation and revealing phases of its current state comprise the latest March of Time release. All types of planes operated by the Navy are pictured in training and practice flights, and the enormous organization behind naval operations is indicated in camera flashes of the Navy Department at Washington, training centers throughout the country and by means of maps depicting the projected vast expansion of America's air forces. The subject is interesting and informative and is impressive from the suggestion it leaves of a great American air power already in existence. Running time, 21 mins. Release date, Oct. 24, 1941.

"Glacier Trails"
(Magic Carpet Series)
(*20th Century Fox*)
An escorted tourists' trip over Glacier National Park's scenic trails is the eye-satisfying experience provided by this Lowell Thomas Magic Carpet subject. The camera work is excellent, the commentary good and the Montana scenery is well worth the film attention given it here. Running time, 10 mins. Release, Sept. 26, 1941.

"Army Champions"
(Pete Smith Specialty)
(*M-G-M*)
Here is a subject that should stir a good deal of interest. The film shows various army guns in operation, including trench mortars and heavy artillery. Shattered targets attest to their accuracy. Running time, 10 mins. Release, Oct. 10, 1941.

50 Arbitration Cases Decided Of 129 Filed

(Continued from page 1)

resulted in a reduction of clearance. Where the exhibitor attempted to secure a change in playing position against competing theatres, under the guise of arbitrating clearance, his efforts were generally unsuccessful.

Two arbitrations were brought purportedly under Section 9, which relates to the withholding of prints. Both were dismissed.

Many of the arbitrations filed under Section 8 also have been filed under Section 10, which concerns sale of a run to a circuit. In most of the instances the decision was that the rights of the exhibitor under that section did not accrue until after three months' refusal to license 1941-'42 product.

Summary of Arbitration to Oct. 15

	Instituted	Withdrawn	Pending	Decided	Exhibitor Won Some Benefit
Albany	2	0	0	2	2
Atlanta	2	0	2	0	0
Boston	6	0	2	4	3
Buffalo	5	3	1	1	1
Charlotte	2	0	0	2	1
Chicago	7	2	3	2	1
Cincinnati	4	0	1	3	0
Cleveland	1	1	0	0	0
Dallas	5	1	2	2	1
Denver	3	2	0	1	1
Des Moines	0	0	0	0	0
Detroit	6	2	4	0	0
Indianapolis	0	0	0	0	0
Kansas City	3	1	2	0	0
Los Angeles	4	1	2	1	1
Memphis	3	1	1	1	0
Milwaukee	2	1	0	1	1
Minneapolis	3	1	1	1	0
New Haven	5	0	3	2	1
New Orleans	3	2	0	1	0
New York	23	7	9	7	6
Oklahoma City	1	1	0	0	0
Omaha	1	0	1	0	0
Philadelphia	13	0	6	7	4
Pittsburgh	3	0	1	2	0
Portland	2	0	1	1	0
St. Louis	6	2	3	1	0
Salt Lake	1	0	0	1	0
San Francisco	4	1	1	2	0
Seattle	0	0	0	0	0
Washington	9	1	3	5	4
Total	129	30	49	50	27

Dismiss Phila. Case; 2 Others Are Filed

Two arbitration complaints were filed in New York and New Orleans and a decision dismissing a Philadelphia clearance complaint was handed down over the weekend.

The New York case was filed by Luxor-Bleecker Amusement Corp., operator of the Waverly Theatre, 323 Sixth Ave., Manhattan, against RKO, Vitagraph and 20th Century-Fox. The complaint seeks relief under Sections 6, 8 and 10 of the decree, involving some run, clearance and a designated run. The Art Theatre on East Eighth St. is named as an interested party.

Claim Clearance Changed

The complaint charges that the Waverly formerly had a run ahead of the Art and seven days' clearance over it, but that the distributors now refuse to license the Waverly unless it foregoes the run and clearance over the Art. The latter is a member of a buying combine, the complaint states. It is understood to be operated by Rugoff & Becker for Herman Weingarten.

The New Orleans case was filed by W. A. Fonseca & Sons, operating the Ashton Theatre, New Orleans, and seeks an adjustment of clearance and a designated run from all five consenting companies. The Poplar Theatre is named as an interested party.

The complaint charges that the distributors have refused to license the Ashton earlier than 60 days after the Poplar. Contending that the two theatres are too far apart to be competitive and that the 60-day clearance is unreasonable, the complaint asks that the theatres be declared in separate zones and that the Ashton be granted a run immediately after Canal St. first runs.

Dismissal in Philadelphia

In Philadelphia, S. Eugene Kuen, Jr., arbitrator, dismissed the clearance complaint of N. Herman Bornstein, operator of the Hatboro Theatre, Hatboro, Pa., against the five consenting companies. The arbitrator ruled that the present seven-day clearance of Warners' Grove at Willow Grove, Pa., over the Hatboro is reasonable. Costs were assessed equally among the parties.

Also in Philadelphia, Rupert C. Schaeffer, Jr., was designated arbitrator for the clearance complaint of Columbus Stamper, operator of the Rivoli, and hearing was set for Nov. 6. The Philadelphia hearing on the clearance complaint of A. M. Ellis in behalf of his Parkside, Camden, N. Y., was continued to Nov. 7 after a second day of testimony on Friday.

Del. House Wins Clearance Relief

WASHINGTON, Oct. 26.—The Dentonia Theatre, Dentonia, Md., was granted modified relief in its clearance complaint against the Reese, Harrington, Del., just over the state line, in a decision given by Joseph A. Cantrell, arbitrator. Loew's was ordered to permit the Dentonia to exhibit its pictures immediately after the Reese. The latter has had seven days' clearance. Costs were assessed against Loew's and the Reese, which is operated by Reese B. Harrington. Sam Mellitts operates the Dentonia.

Milton W. King, treasurer of the District of Columbia Bar Ass'n, has been appointed arbitrator in the Linden Theatre, Baltimore, clearance complaint against Paramount, Vitagraph and RKO by the American Arbitration Ass'n. This marked the first time parties to a local arbitration proceeding had failed to agree on an arbitrator. The complaint names Metco Theatres and Grand Amusement Co.. Hearing has been tentatively set for Nov. 5.

Detroit Board to Hear Three Cases

DETROIT, Oct. 26.—Hearings on two clearance cases and one specific run complaint will be held on three successive days here, Nov. 5, 6 and 7.

The hearing on the clearance complaint of the Gale Theatre, Galesburg, Mich., which started last Wednesday, was adjourned to Nov. 5 by Edmund M. Brady, arbitrator.

The clearance proceeding of the Booth Theatre here will be heard Nov. 6, and the specific run complaint of the Parkside Theatre here on Nov. 7.

Arbitration Office Here Is Moving

American Arbitration Association headquarters will be transferred from the U. S. Rubber Bldg. to the 11th floor of the Time & Life Bldg., Rockefeller Center, next Friday.

'Honky Tonk' Is Minneapolis Best

MINNEAPOLIS, Oct. 26. — "Honky Tonk" drew $13,000 at the State. "Citizen Kane" attracted $8,500 to the Orpheum.

Estimated receipts for the week ending Oct. 17-18:

"Honky Tonk" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $13,000. (Average, $6,000)
"Citizen Kane" (RKO)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross: $8,500. (Average, $5,500)
"Barnacle Bill" (M-G-M)
GOPHER—(998) (28c) 8 days. Gross: $3,000. (Average, $2,500)
"Hold Back the Dawn" (Para.)
CENTURY—(1,600) (28c-39c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $4,000)
"You'll Never Get Rich" (Col.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $1,800. (Average, $1,600)
"Flying Blind" (Para.) (4 days)
"Blondie in Society" (Col.) (4 days)
"Mob Town" (Univ.) (3 days)
"Tillie the Toiler" (Col.) (3 days)
ASTER—(900) (17c-28c) 7 days. Gross: $1,800. (Average, $1,800)

'U' Signs Shaindlin

Jack Shaindlin has been signed to compose the musical score and conduct a symphonic orchestra for "Cavalcade of Aviation," a Universal short subject to be made at the Eastern Service Studios.

NW Allied Ask Majors Follo Para. On Minn

(Continued from page 1)

sored the Minnesota law declar "There is no legal reason why a theatres in Minnesota should forced to close for lack of the motion pictures or why the other consenting distributors cannot fol the same course of action to meet requirements of the state law as now been taken by Paramount."

The statement said that Pa mount's action in applying for exem tion from the sales provisions of t decree in the New York Fede court sustains the position consisten held by Allied that Section 23 of t consent decree, pertaining to rel measures from state legislation, is binding as Sections 3 and 4, whi provide for the trade showing a selling of new season product blocks of five or less, contrary to t Minnesota law.

The statement also pointed to co ment by Judge Hugo O. Hanft in h recent decision denying the injunctio to halt enforcement of the state la on applications by six major distrib tors. Judge Hanft wrote that "the is no merit in the contention" that would constitute contempt proceedin in New York to abide by the Minn sota act.

Allied also pointed out that the court stated: "There exists the strong presumption that the act is constitutional and valid and that stands unless and until it is declared unconstitutional by the proper court."

Meanwhile, local exchange official report theatres in many localities a ready operating on curtailed schedule for lack of good product and other contemplating doing so. The situa tion will hardly be relieved by th local legal actions against Paramoun RKO and 20th Century-Fox for al leged violations of the state law, i was said, since hearings are not sched uled to start in the case until Nov. 2 and, regardless of the outcome, ap peals are likely to be taken by eithe side.

Hearing on Paramount's applica tion for an exemption from the de cree's sales provisions to permit th company to sell in Minnesota is sched uled for Friday in New York and prompt decision is expected.

Protest Billboard Ban in Milwaukee

MILWAUKEE, Wis., Oct. 26.—A group of neon sign dealers is organizing to protest a proposed ordinance drafted by City Building Inspecto Leon M. Gurda, to keep billboards and certain signs off Milwaukee's wide traffic arteries. It was said tha the ordinance would outlaw every sign on an important right of way including electric signs on theatres.

Thelma Strabel Married

WEST REDDING, Conn., Oct. 26.—Thelma Strabel, author of "Reap the Wild Wind," was married here yesterday to David P. Godwin of the U. S. Forestry Service.

ajors Face ax Liens on ioff Payment

(Continued from page 1)

S. Supreme Court ruling has up- this contention, it was stated.

e principal witness as the defense d its case Friday was Pat Casey, ucers' labor contact. Under direct mination by Michael Luddy, attor- for Bioff, he testified that Nicho- M. Schenck, president of Loew's, not present at the Saturday morn- basic pact meeting on April 18, . This was the date on which nck had previously testified wne and Bioff had submitted their quotation of $50,000 from the cipal companies and $25,000 from others, to Schenck and Sidney R. t, president of 20th Century-Fox.

Dates Cleared Up

he discrepancy in dates, however, quickly cleared on cross-exami- on when Casey explained that he given the dates to C. C. Mos- itz and mistakenly had told the r that Schenck had attended all meetings.

asey declared that nobody had ever him that Browne or Bioff were g paid money, or that they had anded any, or of any threat to ke if the money was not paid.

He testified that since Browne became IATSE presi- ent the producers had paid a otal of $5,000,000 in wage in- reases to members of that nion. He described Browne's ttitude as "rather pugna- ious" at the meetings with pro- ucers and that his represen- ation of the IATSE continued ust as vigorous and "just as ugnacious" after the date of he alleged payments. He said hat he had never noticed any hange in attitude on the part of Browne.

Under cross-examination, Casey de- red that he represented the pro- ers in their studio labor problems y and had nothing to do with the- e labor. He said the closing of the- es in 1935-1936 would have "put producers out of business" and t this condition obtained up to the sent year but was no longer true.

Tells of Disputes

Casey began with the situation in 33 when the International Brother- od of Electrical Workers and the TSE were contending for jurisdic- n over soundmen. The IATSE thdrew from the basic pact that year d its membership in the studios opped from five or six thousand to out 150, with the IBEW and the rpenters dividing the membership tween them. In 1935, after the Chi- go theatre strike, Browne demanded at IATSE men be restored to the udio, Casey continued, and Schenck ld Casey that he wanted the IATSE stored to the basic pact because it ould save Loew's a great deal of ouble in the theatres.

Leaders of the other unions in the ct objected to the restoration of the ATSE but after insistence by Browne at his men "were not going to be cked around" and a Sunday confer- ce which lasted from 10 A.M. to 8 .M., the other unions agreed to the restoration and the producers accepted their decision.

Casey also testified to disputes over jurisdiction with the American Society of Cinematographers, the IATSE demands for a closed shop and 10 per cent increases granted the IATSE in 1936 and 1937.

The first witness for the defense was a typist employed by the Postal Telegraph Co., who testified that she had transcribed a telegram signed by Mr. and Mrs. Harry M. Warner to Mr. and Mrs. William Bioff in February, 1938, wishing the latter "bon voyage" as they were about to embark on a vacation cruise. After objecting to admission of this testimony, Mathias F. Correa, U. S. Attorney, brought out on cross-examination that the stenographer did not know who signed the telegram or who sent it, except that it came over the Warner Bros. direct wire.

Defense counsel were unable Friday to state who the next witnesses would be. They said that they would spend the weekend conferring about the procedure.

Off the Antenna

THE bands of Kay Kyser, Guy Lombardo, Sammy Kaye, Tommy Dorsey and Eddy Duchin will be the first five heard on "Spotlight Bands," the six-nights-a-week Coca Cola show which starts over Mutual Nov. 3. The sixth band, in the Saturday night spot, will be selected by a nationwide survey to determine which has made the best-seller phonograph record of the week.

• • •

Program News: *George Jessel will return to radio Friday, 6:45-7 P.M., on WEAF in a one-man show called "Here's Looking at New York." Greater New York Breweries, Inc., is the sponsor. . . . Vick's Chemical Co. has renewed "News for Women" over CBS and has expanded the schedule to five times weekly, 3-3:15 P.M. Monday through Friday, beginning today. . . . Illinois Meat Co. will use participations in Arthur Godfrey's program over WJBC beginning next Monday.*

• • •

The four NBC Symphony concerts to be directed by Leopold Stokowski, Tuesday evenings, Nov. 4-25, will be played in the Cosmopolitan Opera House (formerly Mecca Temple) instead of the network studio due to the large demand for tickets, it was announced. Instead of the usual free admissions, tickets will be sold at prices ranging from 55c to $1.65.

• • •

Edwin P. Curtin, formerly an advertising agency publicity director, and now an Army captain at Camp Wheeler, Ga., is producing a series of transcriptions which will be aired over WINS here and WDRC, Hartford, Conn. Trainees arriving from the New York or Hartford areas will get a chance to speak to the folks back home. Pvt. Bill Stynes, former WINS announcer, will conduct the interviews. The music for the program will be conducted by Pvt. Harrison Cooper, former arranger for bandleader Herbie Kay, and Pvt. Thomas Haulon, formerly with WBRY, Danbury, Conn., will handle engineering details.

• • •

The unusual case of a network devoting a program to the meteoric rise of the star of a rival web will be presented Sunday when Norman Corwin will produce "The Rise and Fall of Henry Morgan" as the last of the "26 by Corwin" series over CBS. Morgan, now a Mutual headliner, previously has appeared on the Corwin series and will play the title role.

• • •

WBYN will be ready to increase its power to 1,000 watts day and 500 night in about four weeks, it was said Friday. The station recently obtained permission for the power increase from the FCC. WBYN now operates on 500 watts day and night.

NBC Accepts Beer and Ale Sponsorship

NBC has decided to accept beer and ale advertising on its network, thus abandoning its policy of refusing network business from sponsors who advertise alcoholic beverages, it was learned over the weekend, and has taken the Ballantine Ale and Beer account away from Mutual for broadcast on about 80 stations of the Blue network.

The program, "Three Ring Time," which features Milton Berle, Charles Laughton, Bob Crosby's band, Shirley Ross and Bill Godwin, started on Mutual in September.

Although the 13-week contract on Mutual will not have expired by Tuesday, Nov. 7, it will start over NBC on that date. Mutual refused to comment on the situation but it was reported that the sponsor is prepared to pay for the time over Mutual, if necessary, in order to start over NBC-Blue on the scheduled date.

Although NBC has accepted beer and ale accounts over its wholly owned single stations in the past, such sponsors have been consistently rejected for the network. The code adopted by the National Association of Broadcasters bans only "hard or spirituous liquors," making no mention of beer. On the other hand, the "Working Manual" issued by NBC for the guidance of its staff, advertising agencies and sponsors on the network's program policies, declares: "Alcoholic beverages may not be advertised on any network program."

Miss. Broadcasters Form Association

JACKSON, Miss., Oct. 26.—Representatives of 12 stations formed the Mississippi Broadcasters Association at a meeting here. Officers elected were: C. J. Wright, WFOR, Hattiesburg, president; H. M. Smith, WAML, Laurel, vice-president; L. M. Sepaugh, WSLI, Jackson, secretary-treasurer.



"Don't change The Little Flower for Poison Ivy"

TODAY-12:30

Festive Luncheon—Astor Hotel

"STARS' PARTY FOR MAYOR LAGUARDIA"

Gayety in the Grand Ball Room! Everybody will be there! Enjoy the lighter side of the campaign. If you haven't made reservations phone CIrcle 6-4600 or come over and we'll find room for you. *(Tickets $1.75 each).* Broadcast over WHN from 1:45 to 2:30.



Take Off That Blindfold!

YOU'VE GOT A SHOW TO SELL!

★ Use your eyes... use your ears... use your head. If pictures sold themselves, life would be one sweet song. You'd book your pictures and let the money pour in. ★ But friend, what a price you'd pay for your product. ★ Pictures must be sold and you're the fellows who must do the selling. You've got the quick contact with the people who buy. ★ SELL THEM...Don't wait until they come to you. Don't rely on the grapevine. Spread the news so that everybody, everywhere, old enough to be interested in entertainment will know. ★ That means ADVERTISE . . . put on a show to sell your show...and let the PRIZE BABY help you.

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First in Film and Radio News Brief, Accurate and Impartial

. 50. NO. 84 NEW YORK, U. S. A., TUESDAY, OCTOBER 28, 1941 TEN CENTS

rosses Boom n Broadway ver Weekend

ruth,' 'Dumbo,' Among Big First Run Leaders

Broadway's weekend business was orted by theatre managers as mendous. The new Bob Hope nedy, "Nothing But the Truth," h the Andrews sisters and Johnny ng's orchestra on the stage, ssed an estimated $30,000 Satlay and Sunday at the Paraunt. The show completes its st week tonight with an estimated 6,000 expected.

Walt Disney's "Dumbo" brought the oadway an estimated $11,000 Satur- and Sunday, which is said to be record for the house. It had nine owings Saturday and seven on Sun-. At the Radio City Music Hall, ou'll Never Get Rich," with the ge presentation, drew an estimated ,000 Thursday through Sunday.

Tonight Broadway focuses its attenn on the opening of a new picture, How Green Was My Valley," at the voli.

Although it was an ordinary Autmn weekend, it looked like a succession of holidays as a majority of st-runs, with both holdovers and

(*Continued on page* 12)

,000 at Testimonial or James P. Clark

PHILADELPHIA, Oct. 27.—Almost 00 persons attended the all-industry stimonial dinner this evening at the ellevue-Stratford Hotel sponsored by e local Variety Club in honor of mes P. Clark.

The dinner marked Clark's elevation chairmanship of the Democratic ity Committee and was in tribute as ell to his many charitable acts. In ddition to industry members, attendng were many prominent political gures, both Republican and Demo-

(*Continued on page* 12)

In Today's Issue

Three reviews: "Swing It Soldier," "Zis Boom Bah," "Public Enemies," Page 11. Readers' Say-So, Page 2. Key City grosses, Pages 11, 13, 14. Shorts reviews, Page 13.

Senate Film Inquiry Resumption Monday Indicated by Clark

WASHINGTON, Oct. 27.—Hearings on motion picture propaganda may be resumed next Monday, it was disclosed today by Senator D. Worth Clark of Idaho, chairman of the propaganda inquiry sub-committee.

Clark said he planned to confer at the earliest opportunity with Senator Charles W. Tobey of New Hampshire, who has just returned to Washington after a long absence.

Later he will meet with other members of the sub-committee to ascertain definitely whether it will be satisfactory to them to resume hearings next week.

The sub-committee has not yet seen any of the pictures charged with propaganda, and the chairman said it was uncertain when members would find time to view them.

Phila. Clearance Is Affirmed on Appeal

The arbitration appeals board yesterday affirmed a decision handed down at the Philadelphia appeal board denying a change of clearance to the Hill Theatre, suburban house, on Paramount, RKO and Warner product.

The appeals board handed down no opinion in connection with its decision, but cited the findings of the arbitrator who heard the case and stated that the appeals board concurs and

(*Continued on page* 12)

Second Jap Payment Due in Frisco Today

A second installment of $215,000 to the eight major distribution companies under their monetary agreement with Japan is payable today at the Yokohama Specie Bank in San Francisco.

The companies were paid a first installment of a like amount last month after obtaining Federal Reserve licenses in compliance with the Executive order freezing Japanese assets in this country. A third payment of a similar amount is due the eight companies early in December, with a final payment in January. The payments are out of the companies' 1937 Japanese revenue.

Bioff Seeks to Shift Blame on Film Officials

Taking the stand in his own behalf, Willie Bioff yesterday in Federal Court, before Judge John C. Knox and a jury, quickly indicated the line which the defense testimony would take in his trial for extortion, when he attempted to shift the accusing finger from him and his associate, George E. Browne, to persons in the industry. Questioned by his lawyer, Michael Luddy, Bioff testified broadly about his money dealings but in-

(*Continued on page* 14)

Majors Discuss Division Of Money from England

Major company heads met at MPPDA offices again yesterday to discuss methods of apportioning the new British remittance amounts among the eight major companies. No final agreement was reached, so far as could be learned late yesterday.

The $20,000,000 authorized for withdrawal from Britain out of the ensuing year's distribution revenue is expected to be apportioned among the companies on the basis of their percentage of total British billings.

However, several different methods of dividing the 50 per cent of blocked

(*Continued on page* 12)

Myers Will Address Wis. ITPA Convention

MILWAUKEE, Oct. 27. — Among those scheduled to address the convention of the ITPA of Wisconsin and Upper Michigan Nov. 4 and 5 at the Schroeder Hotel here are: Abram F. Myers, general counsel of national Allied; Sidney E. Samuelson, business manager, Allied of Eastern Pennsylvania, Inc.; J. E. Flynn, Chicago, district manager for M-G-M; Charles M. Reagan, assistant gen-

(*Continued on page* 12)

W. B. Branch Heads to Meet Here Friday

Called by Kalmenson; Leserman Resigns

All Warner branch managers will meet at the home office Friday and Saturday, the first session called by Ben Kalmenson in his new capacity as general sales manager for the company.

Warner yesterday announced the resignation of Carl Leserman, assistant general sales manager, and vice-president of Vitagraph, Inc. The Leserman resignation was reported exclusively in *Motion Picture Daily* yesterday.

Commenting on Leserman's resignation, Major Albert Warner, vice-president of Warners, issued the following statement: "It is with sincere regret that Warner Bros. accepts the resignagtion of Carl Leserman. His association with us has been most pleas-

(*Continued on page* 12)

1,500 Attend Rally To Boom LaGuardia

New York show business turned out en masse yesterday for the luncheon for Mayor Fiorello H. LaGuardia at the Astor, given under the auspices of the Theatrical, Motion Picture and Radio Committee for the Reelection of Mayor LaGuardia.

John Golden was honorary chairman. Louis Nizer, chairman, introduced the Mayor to the estimated 1,500 persons present.

Among the film companies and or-

(*Continued on page* 12)

Allied Unity Group To Confer in N. Y.

CHICAGO, Oct. 27.—Jack Kirsch, president of Allied Theatre Owners of Illinois, and a member of the national Allied committee for industry unity, will leave for New York tomorrow to confer with distribution officials on Allied's unity plan. Kirsch will be joined in New York by Sidney E. Samuelson, also a member of the Allied unity committee.

A meeting of Illinois Allied at the Congress Hotel here today discussed new season's sales policies. About 50 exhibitors representing 105 theatres were present.

New Kaufman-Ferber Play Opens Tonight

"The Land Is Bright," a new play by George S. Kaufman and Edna Ferber, bows in tonight at the Music Box with Martha Sleeper, Phyllis Povah, Diana Barrymore, Leon Ames, Arnold Moss and Hugh Marlowe in the cast. Max Gordon is the producer.

Cantor Show Opens At Hollywood Dec. 5

Eddie Cantor will open his stage version of "Banjo Eyes" at the Hollywood Theatre on Dec. 5, it is announced by Warners. It will start out-of-town bookings Nov. 7 in New Haven, then will go to Boston and Washington before the opening here. At the conclusion of the stage play run, Cantor will appear in a film version for Warners, according to plans.

Rosenfield Is Named To 20th-Fox Ad Post

Jonas Rosenfield, Jr., formerly with Donahue & Coe, advertising agency, has been named advertising copy chief for 20th Century-Fox by A. M. Botsford, director of advertising and publicity. Rosenfield replaces Frank Moneyhun, last week promoted to Botsford's executive assistant.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
FRED ASTAIRE • RITA HAYWORTH
"YOU'LL NEVER GET RICH"
A Columbia Picture
ON GREAT STAGE: "UP OUR ALLEYS"—a gay, spectacular revue, produced by Leonidoff. Symphony Orchestra, direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Paramount Presents Bob Hope
Paulette Goddard
"NOTHING BUT THE TRUTH"
IN PERSON
THE ANDREWS SISTERS
JOHNNY LONG AND BAND
PARAMOUNT TIMES SQUARE

TYRONE POWER
"A YANK in the R.A.F."
with BETTY GRABLE
A 20th Century-Fox Picture
PLUS A BIG STAGE SHOW ROXY 7th AVENUE 50th STREET

RKO PALACE B'WAY & 47th St.
JOAN BENNETT—HENRY FONDA
"WILD GEESE CALLING"
& "WEEKEND FOR 3"
DENNIS O'KEEFE — JANE WYATT

Continuous From 9:30 A.M.
POP. PRICES 35¢ TO 1 P.M.
Children Any Time 25¢
Walt Disney's DUMBO
BROADWAY THEATRE • 53 ST & B'WAY
Distrib. by RKO Radio
Mezz. Seats Reserved

Personal Mention

JAMES MULVEY, vice-president of Samuel Goldwyn, Inc., is recuperating at Doctors Hospital after an emergency appendicitis operation performed on Saturday.

•

F. J. A. McCARTHY, Southern and Canadian sales manager for Universal, left last night for Dallas, Oklahoma City and New Orleans. He is due back next week.

•

DAVID MILGRAM, head of Affiliated Theatres, independent Philadelphia circuit, has left for a vacation at Hot Springs, Ark.

•

HASKELL MASTERS, United Artists Western sales manager, is expected back from a Middle Western trip at the end of the week.

•

FRED KENT and FRANK ROGERS are in town from Jacksonville, Fla., for Paramount home office conferences.

•

LEONARD GOLDENSON and SAM DEMBOW have returned from the Coast.

•

GEORGE J. SCHAEFER is expected in New York Thursday from Hollywood.

•

N. L. NATHANSON is in town.

•

SIDNEY KRAMER of RKO became a father Friday evening when a son was born to MRS. KRAMER at Beth Israel Hospital.

•

L. W. CONROW, Altec Service president, is back in town from a field trip.

•

JESSE L. LASKY is due today from the Coast.

•

MITCHELL LEISEN has arrived from the Coast.

CHARLES C. PETTIJOHN, MPPDA general counsel, underwent a minor operation at United Hospital, Portchester, N. Y., yesterday. He is expected to be discharged from the hospital in a week.

•

DAN O'SHEA and ERNEST SCANLON, officials of Selznick-International Pictures, are here from the Coast.

•

LOU JACKSON of Anglo-American films, who was scheduled to leave for London today, has postponed his departure.

•

GERTRUDE MERRIAM of the Managers Round Table department of *Motion Picture Herald* is resting comfortably at Park West Hospital after an appendicitis operation performed on Saturday.

•

B. B. KREISLER, short subject sales manager of Universal, left yesterday for Norfolk, Va.

•

C. G. KEENEY, manager of the Park Theatre, Reading, Pa., became a grandfather last week when a daughter was born to MRS. JOHN J. MILLER, the former DOROTHY KEENEY.

•

MIKE WOLFISH, RKO booker in Philadelphia, and CHARLOTTE RICHBART were married recently in Buffalo.

•

J. LALOR JOYCE, manager of the Hippodrome, Pottsville, Pa., became the father of a son last week.

•

JAMES C. RUMEL, Warner booker in Philadelphia, became the father of a daughter recently.

•

ARTHUR MENKEN, Paramount News cameraman, has arrived from the Orient.

'Ecstasy' Banned in Pa.

PHILADELPHIA, Oct. 27.—The Pennsylvania censor board has again refused its seal of approval for "Ecstacy." It marked the eighth time that the picture was submitted for review and was turned down.

Rosalind Russell to Col.

HOLLYWOOD, Oct. 27.—Columbia has signed Rosalind Russell to a five-year contract beginning next February, to make two films a year.

JACK SHAINDLIN
Musical Direction
Just Completed
"WHAT'S STEWIN' "
(Columbia Pictures' Musical)
"BOMBER"
(Office for Emergency Mgt. Film Unit)
Now in Preparation
"CAVALCADE OF AVIATION"
(Universal Pictures' Special)
"WOMEN IN DEFENSE"
(Office for Emergency Mgt. Film Unit)
Narration by Eleanor Roosevelt
3 "STRANGER THAN FICTION" SUBJECTS
(Universal Pictures)
3 "VARIETY VIEWS" SUBJECTS
(Universal Pictures)
Also a motion picture for
INTERNATIONAL PETROLEUM CO.
(Produced by John Bransby)

Victor Schertzinger Rites on Wednesday

HOLLYWOOD, Oct. 27.—Funeral services for Victor Schertzinger, 52, film director and composer, who died yesterday, will be held Wednesday morning at the Little Church of Flowers at Forest Lawn Memorial Park.

At the time of his death he was directing "The Fleet's In" for Paramount. After work Saturday he retired and apparently died in his sleep.

He was a pioneer in the development of film-music coordination.

Schertzinger won early recognition as a violinist, appearing with the Victor Herbert Symphony Orchestra in Philadelphia, and later with Sousa and others. He prepared the musical score for a Thomas Ince film, "Civilization" and this led to direction. He also was well known as a song writer. He leaves his widow and two daughters, Patricia and Paula.

Plan AFRA in Rochester

ROCHESTER, Oct. 27.—Organization of a Rochester local of the American Federation of Radio Artists is the goal of Hyman Faine, field representative, who has arrived here.

Hold Jacob Seltzer Rites

HOLLYWOOD, Oct. 27. — Services were held today for Jacob Seltzer, 70, father of Frank, Jules and Walter Seltzer, publicity men, who died Saturday. The widow also survives.

Readers' Say-So

Editor, MOTION PICTURE DAILY:

In your issue of Oct. 20, I notice a letter from an exhibitor, regarding my original comment on gossip writers who take advantage of a few liberties. However, his remarks were entirely different, because he speaks of local critics. Therefore, the matter should be clarified.

In my original letter, I was not referring to directly-paid employes of newspapers, radio stations or magazines, who operate under supervision of said owners.

I was only referring to a few individuals who operate on a wide commercial scale, digging up "dirt," and lease or syndicate their gossip, on a rental basis to all newspapers desiring the service.

I thought I would pass this along, so fellow-exhibitors won't take the wrong attitude toward local critics, who are justified in expressing their personal opinions, pro or con. The final judge will always be our box-office, so let's have opinions from anyone, as long as they are frank and sincere, and do not touch on petty personal matters and slanderous accusations.

ED HARRIS,
Glendale Theatre,
Glendale, Calif.

RKO Executives to New Phila. Branch

Ned E. Depinet, distribution head, will lead a delegation from the RKO home office who will attend the opening of the company's new Philadelphia exchange building tomorrow. The party will leave here by train tomorrow morning.

Included will be A. W. Smith, Jr., Cresson E. Smith, Robert Mochrie, Harry Michalson, S. Barret McCormick, A. A. Schubart, William Savage, M. G. Poller, Harry Gittleson and W. J. McShea.

Pool Toledo Houses

TOLEDO, O., Oct. 27.—Skirball Brothers of Cleveland, and Smith, Beidler & Kumler, local operators, have pooled the local Pantheon and Palace. The two will show first and second run films, at 20 and 30 cents admission, including tax.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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NO GUESS-WORK!

Here's what's coming from The Friendly Company.



THAT'S HOW YOU SPELL IT!

What's coming from M-G-M? Can M-G-M keep up the sizzling pace? What is to follow "Jekyll & Hyde," "Honky Tonk" and the other big early season M-G-M entertainments? No guess-work. Here they are: Many are completed, others are in production. The best is yet to come, among them the Greatest attractions in M-G-M history. That means the Greatest in Film history. For instance, see what follows!

The crowds will soon be heading for MICKEY ROONEY JUDY GARLAND



"Come out of the kitchen, housewife. It's better than 'Babes in Arms'."



"Put it off till tomorrow, Mr. Business Man. Take the wife to see Mickey and Judy's new triumph."



"Declare a school holiday, Mr. Mayor. It's more fun than 'Strike Up the Band'."



"Even this can wait, sweetheart. Let's get going to 'Babes on Broadway'."



MICKEY ROONEY, JUDY GARLAND in "BABES ON BROADWAY" with Fay Bainter, Ray McDonald, Donald Meek, Virginia Weidler, Richard Quine, Alexander Woollcott · Directed by BUSBY BERKELEY. Produced by ARTHUR FREED · Screen Play by Fred Finklehoffe and Elaine Ryan. Original Story by Fred Finklehoffe.

Completed! Previewed! M-G-M's "Babes on Broadway" is the biggest package of entertainment that ever flooded your screen with talent, song, heart-throbs; and your box-office with gold.

(Plenty more—Keep going)

"DON'T GET CAUGHT WITHOUT 'PANAMA HATTIE!'"

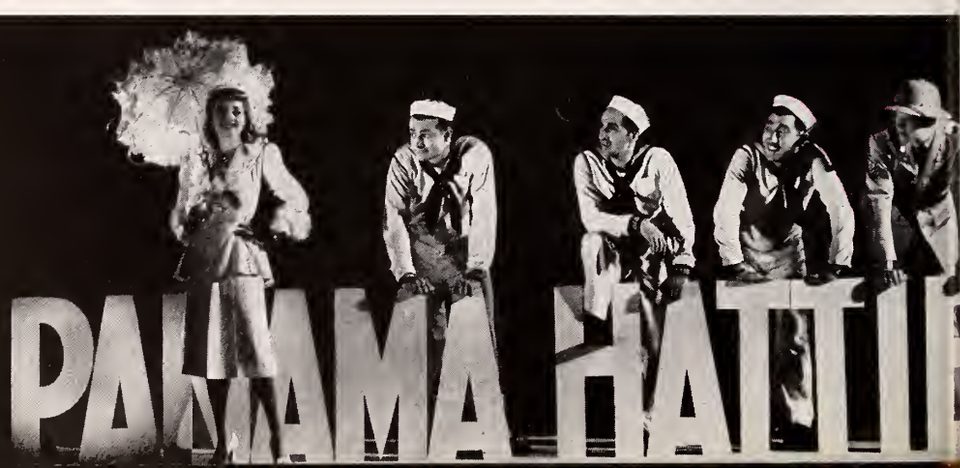


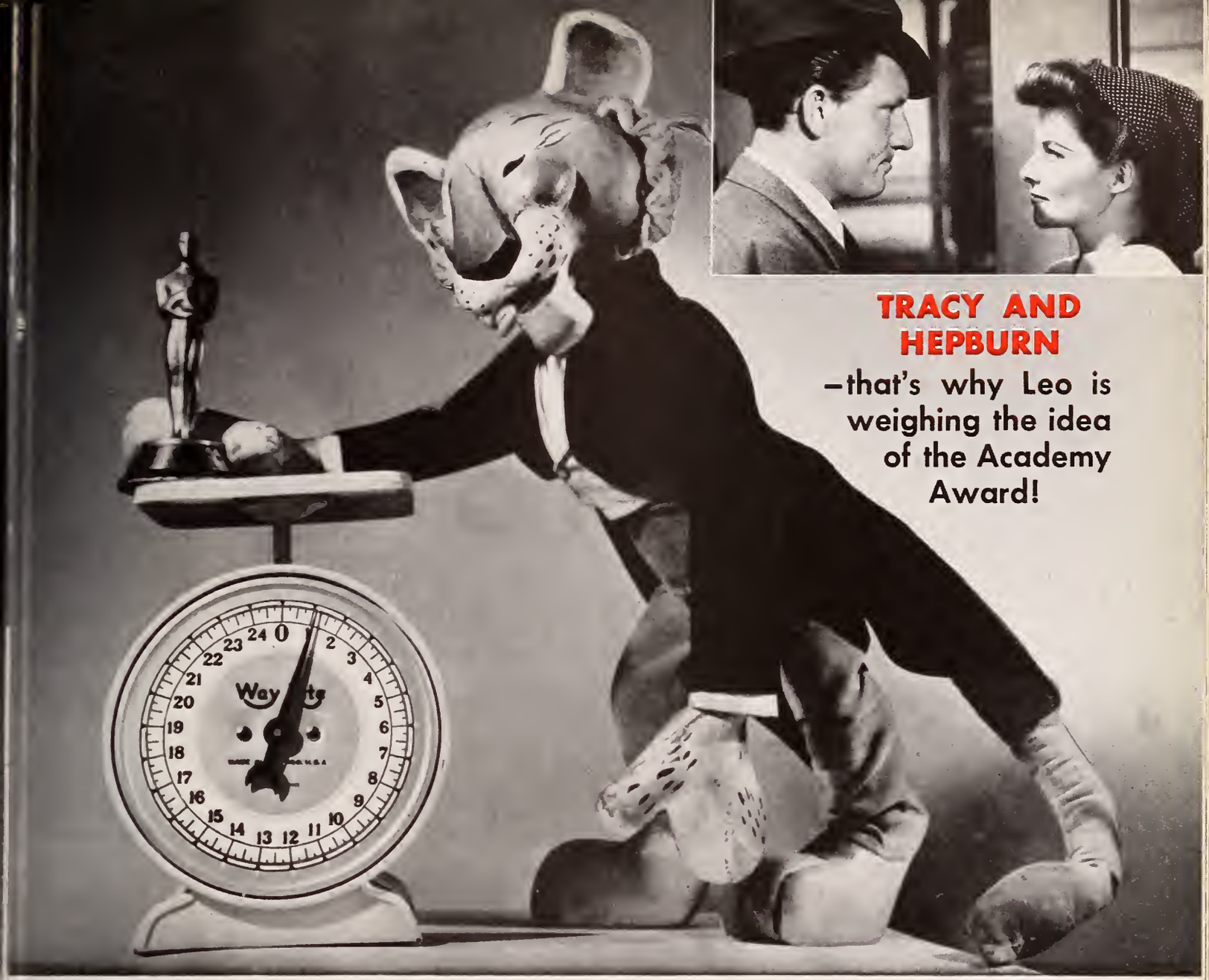


LISTEN TO YOUR PATRONS:

"'Panama Hattie' has been previewed in California!"
"The reports say it's a sensation!"
"That's the big Broadway musical hit!"
"Filmed in the M-G-M manner. Oh boy!"
"Ann Sothern, Red Skelton—what a combination!"
"With a top-notch comedy cast and Cole Porter tunes!"
"Bring on 'Panama Hattie,' Mr. Theatre Manager!"
"We'll be there!"

"PANAMA HATTIE" Starring ANN SOTHERN, RED SKELTON with "Rags" Ragland, Ben Blue, Virginia O'Brien, Alan Mowbray, Dan Dailey Jr., Jackie Horner • Screen Play by Jack McGowan & Wilkie Mahoney • Directed by NORMAN Z. McLEOD. Produced by ARTHUR FREED.





"THE WOMAN OF THE YEAR" will be THE PICTURE OF THE YEAR!

PENCER TRACY, KATHARINE EPBURN in "WOMAN OF HE YEAR" • A GEORGE TEVENS' Production with Fay ainter, Reginald Owen. riginal Screen Play by Ring ardner, Jr. and Michael anin • Directed by GEORGE TEVENS • Produced by OSEPH L. MANKIEWICZ.

Completed!
Previewed!
It's positively
Terrific!
It's got that
"Philadelphia Story"
Box-office stamina!
Long life at
Your show-shop!

(Continue on next page, please)



Weather-proof! The kind of show that brings the dough in rain or snow!



PUT YOURSELF IN THIS PICTURE! Ride with the Winner!

(continuing M-G-M coming attractions!)



Completed! Previewed! Another big M-G-M Show on the way to you!

ROBERT TAYLOR
LANA TURNER *in*
"JOHNNY EAGER"

A MERVYN LeROY PRODUCTION with EDWARD ARNOLD, Van Heflin, Patricia Dane, Henry O'Neill, Diana Lewis • Screen Play by John Lee Mahin and James Edward Grant • Directed by MERVYN LeROY • Produced by JOHN W. CONSIDINE, Jr.



Completed! Previewed! Add it to the sure-fire box-office shows from Leo!

ROSALIND RUSSELL
WALTER PIDGEON *in*
"MISS ACHILLES' HEEL"

(title to be changed)

with EDWARD ARNOLD, Lee Bowman, Mary Beth Hughes, Barbara Jo Allen, Guy Kibbee • Original Screen Play by Lionel Houser • Directed by NORMAN TAUROG • Produced by JOHN W. CONSIDINE, Jr.



Completed! Previewed! The best-selling novel to the life! Another Big One!

"H. M. PULHAM, Esquire"

starring

HEDY LAMARR
ROBERT YOUNG
RUTH HUSSEY

with CHARLES COBURN, Van Heflin, Fay Holden, Bonita Granville • Screen Play by King Vidor and Elizabeth Hill • From the novel by John P. Marquand • Directed by KING VIDOR

Wish I had more space to tell you about—"



In production NORMA SHEARER, MELVYN DOUGLAS in "We Were Dancing," based in part on Noel Coward's "Tonight at 8:30". . . Just finishing at press-time, SHIRLEY TEMPLE (*she's twelve and terrific now*) co-starred with HERBERT MARSHALL, LARAINE DAY in "The Girl On The Hill". . . Coming JEANETTE MacDONALD, NELSON EDDY in the Broadway stage smash musical "I Married An Angel". . . And the new KILDARE picture is shaping up swell . . . And "Tarzan's Secret Treasure," the first one in two years, is awaited by the fans . . . In production "Mr. and Mrs. North" the New York stage delight (GRACIE ALLEN's in it) . . . WALLACE BEERY's "Steel Cavalry" (of course, Marjorie Main, too) . . . GREER GARSONS's next is "Mrs. Miniver," the best-seller. She's co-starred with WALTER PIDGEON . . . "The Vanishing Virginian" has a swell Frank Morgan role . . . And wait 'til the folks hear about RED SKELTON in "How To Win Friends and Influence People" based on the Dale Carnegie book sensation . . . And more happy hits in preparation from the Studio that never fails you!

(Turn please)

THIS PHOTO TELLS ITS OWN STORY

The men who pass through these portals may not be the world's most beautiful males but they're FRIENDLY. This is the door of the M-G-M Home Office Sales Department. Note that it is open. Note also the Welcome on the mat. The mat was placed there when this picture was made so that the photo would express truly the spirit that lives there always. And this symbol is duplicated in spirit in every M-G-M Branch Office throughout the land, as well as in those far places of the world where the Lion still bravely carries on. The Open Door policy at M-G-M was not born yesterday. It has existed all the years we have been in business and out of its operation M-G-M came to be known as THE FRIENDLY COMPANY. To say it simply: "Your M-G-M representative wants to know your problems. He cannot know them until you tell him. The door is always open." Welcome Mr. Exhibitor!



Printed in U.S.A

Truth' Takes Big $24,000, Los Angeles

Los Angeles, Oct. 27.—"Nothing ut the Truth" and a stage show rew a strong $24,000 at the Para- ount, while "The Little Foxes," on ual in the second week, scored well both the Hillstreet and Pantages.

Estimated receipts for the week ding Oct. 22:

nternational Lady" (U. A.)
Moon Over Her Shoulder" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 ys. Gross: $10,000. (Average, $12,000)
Fantasia" (Disney)
CARTHAY CIRCLE — (1,518) (55c-$1.65) days, 38th week. Gross: $6,800. (Average, 7,000)
Sundown" (U. A.)
4 STAR—(900) (44c-55c) 7 days. Gross: ,00. (Average, $3,250)
Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days. ross: $10,400.
The Little Foxes" (RKO)
Two Latins from Manhattan" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 ays, "Foxes" 2nd week. Gross: $9,500. Average, $6,500)
International Lady" (Small-U. A.)
Moon Over Her Shoulder" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) days. Gross: $12,000. (Average $14,000)
The Little Foxes" (RKO)
Two Latins from Manhattan" (Col.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 ays. "Foxes" 2nd week. Gross: $10,400. Average, $7,000)
'Nothing But the Truth" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 ays. Stage: "Floorshow Revels." Gross: 24,000. (Average: $18,000)
'Sergeant York" (W. B.)
WARNER BROS. (Hollywood) — (3,000) 33c-44c-55c-75c) 7 days, 5th week. Gross: 11,500. (Average, $14,000)
'Sergeant York" (W.B.)
WARNER BROS. (Downtown) — (3,400) 33c-44c-55c-75c) 7 days, 5th week. Gross: 14,100. (Average, $12,000)

Pittsburgh Gives 'Yank' Big $12,600

Pittsburgh, Oct. 27.—"A Yank in the RAF" hit $12,600 at the Senator for a house record, and "Married Bachelor," abetted by Bill Robinson and Jimmy Lunceford on the stage, grossed $23,000 at the Stanley.

Estimated receipts for the week ending Oct. 16:

"Belle Starr" (20th-Fox)
FULTON — (1,700) (30c-50c) 4 days, 2nd week. $2,800. (Average, 7 days $5,000)
"Sergeant York" (W.B.)
LOEW'S PENN—(3,400) (44c-86c) 7 days, 2nd week. Gross: $20,000. (Average, $13,000)
"Parson of Panamint" (Para.)
"Nine Lives Are Not Enough" (W.B.)
RITZ — (800) (28c-44c) 7 days. Gross: $2,500. (Average, $3,000)
"A Yank in the R.A.F." (20th-Fox)
SENATOR—(1,800) (28c-39c-55c) 7 days. Gross: $12,600. (Average, $5,000)
"Married Bachelor" (M-G-M)
STANLEY—(3,600) (28c-44c-66c) On stage: Bill Robinson, Jimmy Lunceford orchestra, Velma Middleton, Miller Bros. and Lois. Gross: $23,000. (Average, $18,000)
"The Reluctant Dragon" (RKO)
"Frank Buck's Jungle Cavalcade" (RKO)
WARNER—(2,000) (28c-44c) 7 days. Gross: $2,800. (Average, $5,000)

RCA Closes Service Deal With Comerford

RCA Photophone has closed an equipment service deal with the Comerford circuit, covering 79 theatres. Negotiations were handled by Dan Halpin, W. L. Jones and John Bethell for RCA, and Charles A. Ryan for the circuit. Theatres are located in eastern Pennsylvania and southern New York State.

Reviews

"Swing It Soldier"

(Universal)

Hollywood, Oct. 27

AN ARRAY of radio personalities, whose reputations give showmen plenty of material with which to exploit the film, are grouped here in a picture about radio and radio people which, sketchy in story but strong in the musical numbers which take up perhaps half of the footage, provides quite a package of entertainment.

Radio personalities present and displaying their wares are Ken Murray, Frances Langford, Don Wilson, Brenda and Cobina, Hanley ("Daddy") Stafford, Senor Lee, Skinnay Ennis and his orchestra, Kenny Stevens, Stop, Look and Listen, Three Cheers and some others. Also present are Iris Adrian, Lewis Howard, Thurston Hall, Kitty O'Neil, Lew Valentine, Peter Sullivan and Tom Dugan.

Ten musical numbers, ranging from solos to ensembles, and from "Melancholy Baby" and "Annie Laurie" to modern swing tunes, give the production its sparkle, snap and principal entertainment.

In between the musical numbers the cast engages in narrating a yarn about a radio salesman who mistakes an ingenue who isn't expectant for her sister who is and tries unsuccessfully to safeguard her health for her husband in the service. This isn't very funny and detracts from an otherwise amusing picture.

Joseph G. Sanford produced, erring only in his selection of the subordinated theme, and Harold Young directed with considerable skill his multi- and vari-talented cast.

Running time, 66 minutes. "G."* Roscoe Williams

"Zis Boom Bah"

(Monogram)

Hollywood, Oct. 27

INTRODUCING Grace Hayes, Peter Lind Hayes and Mary Healy as principal characters in a tale about a run-down college revitalized by music and football, this Sam Katzman production directed by William Nigh has its moments of charm when the principals are exercising their known talents as entertainers and its moments of tedium while dialogue is being spoken by way of supplying connective between these highlights.

Grace Hayes, portraying the mother of a college spendthrift, displays a personality that rates her a future in films. Peter Lind Hayes gets results with impersonations and vaudeville routines but doesn't attempt much in the way of acting. Mary Healy sings well and exhibits some acting ability. Benny Rubin brightens the proceedings whenever the camera is turned his way, Skeets Gallagher amuses as a college president and Roland Dupree, a 16-year-old tap dancer, steals the picture from everybody every time he cuts loose. His is a gift for talent scouts to write home about.

In the course of the proceedings a band of youngsters portraying college students dance repeatedly, part of the time as participants in a sort of night club college show, and the background tale relates their musical accomplishments in some fashion to the winning of gridiron victories which result in rehabilitation of the college, a process which the script fails to make clear but which doesn't much matter.

Running time, 62 minutes. "G."* Roscoe Williams

"Public Enemies"

(Republic)

THIS tells the story of the reporter who blunders, is given a permanent leave of absence, retrieves his job by scoring the beat of the year, and marries the girl. Starting off fast and gaining momentum as it goes along, the film scores through its brisk, melodramatic, and at times jocular, presentation. It rates as good material for theatres whose patrons favor action and care little about minor inconsistencies so long as a happy ending is attained.

Philip Terry and Wendy Barrie are chiefly concerned, with assistance in the comedy department by Edgar Kennedy and William Frawley, all of whom work energetically throughout. Also taking part are Marc Lawrence, Nana Bryant, Willie Fung, Paul Fix, Russell Hicks and Tim Ryan. Speed is the essence of Albert S. Rogell's direction. Robert North was associate producer.

Running time, 66 minutes "G."* Eugene Arneel

**"G" denotes general classification.*

Set Phila. Benefit Show

Philadelphia, Oct. 27.—A benefit show will be held Nov. 16 at Fay's by the Philadelphia Showmen's Club. Meyer Adelman, welfare fund chairman, appointed Sid Stanley, manager of Fay's, as chairman of the committee for the affair.

Form Shorts Company

Sacramento, Cal., Oct. 27.—Sunrise Productions, Inc., capitalized at $25,000, has filed articles of incorporation to produce and distribute motion picture short subjects. Directors, all of Hollywood, are Leon Kaplan, B. Burger and M. Arnold.

12 Films Start, 10 Finished, 39 Shooting

Hollywood, Oct. 27.—Thirty-nine pictures were before the cameras this week, as 12 started and 10 finished, making the total number in production two more than last week's. Thirty-two are being prepared, and 83 are being edited.

M-G-M is the busiest lot, with eight in work, 20th Century-Fox following closely with seven.

The tally by studios:

Columbia
Finished: "Cadets on Parade."
In Work: "The Lady Is Willing."

John Hall
Finished: "The Captain of Koepenick."

M-G-M
Finished: Untitled Dr. Kildare, "The Vanishing Virginian," "Doan of the U.S.A." (formerly "Steel Cavalry").
In Work: "Born to Sing," "Mr. and Mrs. North," "I Married an Angel," "We Were Dancing," "Woman of the Year," "Johnny Eager."
Started: "Joe Smith, American," "China Caravan."

Monogram
In Work: "Borrowed Trouble."
Started: "Riot Squad."

Producers Releasing
Finished: "Law of the Timber."

Paramount
Finished: "Torpedo Boat."
In Work: "The Lady Has Plans," "The Fleet's In."
Started: "Dr. Broadway."

RKO
In Work: "Syncopation," Mexican Spitfire at Sea," "Sing Your Worries Away," "Joan of Paris," " Valley of the Sun."

Republic
Finished: "Tuxedo Junction."
In Work: "Lady for a Night."
Started: "Mr. District Attorney and the Carter Case," "Red River Valley."

Roach (U.A.)
Started: "Dudes Are Pretty People."

Small (U.A.)
In Work: "Heliotrope Harry," "Twin Beds."

20th Century-Fox
In Work: "Blue, White and Perfect," "On the Sunny Side," "Remember the Day," "Son of Fury."
Started: "Song of the Islands," "Tales of Manhattan," "Roxie Hart."

Universal
Finished: "Fifty Million Nickels."
In Work: "Road Agent," "Keep 'Em Flying."
Started: "The Panama Kid."

Warners
Finished: "The Male Animal."
In Work: "Always in My Heart," "Juke Girl," "Wild Bill Hickok Rides."
Started: "Arsenic and Old Lace."

Finish Historical Short

Academic Films has completed the fifth two-reeler in its series of American historical short subjects, titled "Our Louisiana Purchase." The sixth film, "Our Freedom of the Seas," is already in production. Producers Releasing Corp. is distributing the subjects.

W. B. Branch Heads to Meet Here Friday

(Continued from page 1)

ant throughout the many years of his service, and we all wish him success in whatever new undertaking he is contemplating."

Warners announced that Joseph Bernhard, general manager of Warner Theatres, will be among the executives attending the meeting of branch managers. Other home office executives will be: Major Warner, S. Charles Einfeld, Sam Schneider, Mort Blumenstock, Roy Haines, Norman Moray, Arthur Sachson, Al Schwalberg and Mike Dolid.

Managers to Attend

Branch managers who will attend are as follows: Paul C. Krumenacker, Albany; R. L. McCoy, Atlanta; Norman J. Ayers, Boston; Max Roth, Buffalo; John A. Bachman, Charlotte; Rud Lohrenz, Chicago; Robert H. Dunbar, Cincinnati; Charles Rich, Cleveland; F. M. Jack, Dallas; Earl A. Bell, Denver; E. J. Tilton, Des Moines; James Winn, Detroit; Fred Greenberg, Indianapolis; H. C. Borg, Kansas City; Henry Herbel, Los Angeles; W. O. Williamson, Jr., Memphis; Robert T. Smith, Milwaukee; Art Anderson, Minneapolis; Roger Mahan, New Haven; Luke Conner, New Orleans.

Others from Field

Ed M. Schnitzer and Sam Lefkowitz, New York; J. O. Rhode, Oklahoma City; A. J. Shumow, Omaha; William G. Mansell, Philadelphia; Harry Seed, Pittsburgh; Vete Stewart, Portland; William F. Gordon, Salt Lake City; Al Shmitken, San Francisco; William Shartin, Seattle; Hall Walsh, St. Louis, and Robert Smeltzer, Washington.

Also attending will be Sid Ross, Chicago; Doak Roberts, Dallas, and W. E. Callaway, Los Angeles.

Also Wolfe Cohen, Canadian district manager, and Philip Sherman, Montreal, and Joseph Plottel, Toronto.

The out-of-town representatives will make their headquarters at the Warwick Hotel. They will return to their posts next Monday.

1,500 Attend Rally To Boom LaGuardia

(Continued from page 1)

ganizations which had tables at the luncheon were :Columbia, Loew's, Paramount, RKO, 20th Century-Fox, United Artists, Warners, Skouras Theatres, Walter Reade Theatres, Rugoff & Becker, Radio City Music Hall, Republic Pictures, Randforce Amusement, M P P D A, National Screen Service, Monogram Pictures, ITOA, Local 802, Local 306, Cinema Circuit, Fabian Theatres, Leo Brecher Theatres, Building Service Employes, Local 54, and Ampa.

Officials on the double dais included: J. Robert Rubin, W. G. Van Schmus, Stanton Griffis, Austin Keough, Walter Vincent, Major Edward Bowes, Ned E. Depinet, Jack Alicoate, License Commissioner Paul Moss, Howard Dietz, Harry Hershfield, Spyros Skouras, Nizer, Oscar Serlin and Harry Brandt.

Lewistown Houses Plan Joint Banquet

Lewistown, Pa., Oct. 27.— For the first time in its history, the good fellowship among the personnel and management of the rival houses in the city will be observed. The theatre owners splitting the expenses, an all-industry banquet will be held next month to mark the friendly rivalry existing among the houses.

1,000 at Testimonial For James P. Clark

(Continued from page 1)

cratic. Clark is head of Horlacher's Film Delivery Service and Clark Film Distributors exchange. He is a former chief barker of the Philadelphia Variety Club.

Speakers included President Judge Harry S. McDevitt, of the Philadelphia Court of Common Pleas; William C. Bullitt, former Ambassador to France; State Auditor General F. Clair Ross; John B. Kelly, former Democratic City chairman; State Treasurer G. Harold Wagner; Democratic State Chairman Meredith Myers; U. S. Senator Joseph F. Guffey; and Rev. Dr. Daniel A. Poling, of the Baptist Temple here. Former Governor Harold G. Hoffman of New Jersey was toastmaster. Jay Emanuel was chairman of the arrangements committee.

Extend Construction Limitation in Canada

TORONTO, Oct. 27.—By way of further tightening up on construction restrictions, which affect the theatre industry in the Dominion, C. Blake Jackson of the Government Priorities Office has announced a ban on the importation of structural machinery or equipment, the installed cost of which would be in excess of $5,000, except under special license of the board. The step is described as "a natural sequence" to the policy of limiting civilian construction except for war and basic industrial purposes.

The embargo will affect extensive theatre installations, such as large air conditioning plants and heating units, and is regarded as a further ban on important remodelling projects, applications for a number of which are before the priorities board from the amusement industry.

Cincinnati Strand Bought by Circuit

CINCINNATI, Oct. 27.—The Strand Office Building, including the 1,200-seat Strand Theatre, in the heart of the downtown business sector, formerly owned by the Delta Realty Co., which has been in process of dissolution under receivership for several months, has been purchased by the 531 Walnut Street Corp., recently incorporated in Ohio as a part of Associated Theatres, Inc., Detroit, of which Alex Schreiber is the head. Sale price was $380,000. The theatre will be reopened upon completion of extensive improvement, Schreiber said.

Phila. Clearance Is Affirmed on Appeal

(Continued from page 1)

finds it "unnecessary to add anything to his excellent statement."

W. A. Wiedersheim, the arbitrator, found that the seven-day clearance of the neighboring Rialto Theatre over the Hill is reasonable, despite the fact that it subjected the Hill automatically to a 14-day clearance in favor of the adjoining Sedgwick Theatre.

Fred Rowlands, owner of the Parsons Theatre, Columbus, O., filed an appeal yesterday from the Cincinnati award denying a change of clearance for the house from the five consenting distributors in relation to the Markham Theatre. The case was dismissed by Arthur Dunlap, arbitrator, early this month. The appeal is Rowlands' second. His first was taken from a denial of a clearance change for his Main Theatre, Columbus. That appeal was denied by the national board.

Oriental Hearing Is Postponed to Dec. 15.

CHICAGO, Oct. 27.—The clearance complaint of the Oriental Theatre was postponed to Dec. 15 following a weekend hearing, due to commitments of Hayes McKinney, the arbitrator, which prevent him from holding further hearings before that date.

Delay Club Banquet In Phila. to Dec. 14

PHILADELPHIA, Oct. 27.—The annual banquet of the local Variety Club has been postponed from Dec. 11 to Dec. 14 at the Bellevue Stratford Hotel. Frank L. McNamee and Harry N. Ball are co-chairmen, and James P. Clark and Isaac D. Levy are associate chairmen.

Other committee heads include: Melvin Koff and Samuel D. Schwartz, program book; Charles H. Goodwin, tickets; Everett Callow, publicity; Nat Levy, Jay Emanuel and Jack Beresin, reception; Benjamin Fertel, dinner; William A. MacAvoy, Jr., decorations; Abe Freman, technical activities; Elmer O. Wilschke, Louis Krouse, public relations; Victor H. Blanc, seating; Ted Schlanger, dais; Samuel H. Stiefel and Harry Biben, entertainment; Clinton Weyer, transportation and hotel accommodations, and Dr. J. Alex Ritter, physician-in-charge.

Myers Will Address Wis. ITPA Convention

(Continued from page 1)

eral sales manager of Paramount.

Also expected to participate in the two-day program are Jack Kirsch, president, Allied Theatres of Illinois; William A. Scully, general sales manager of Universal, and S. S. Broidy, vice-president and general sales manager of Monogram.

Boom Brings Stage Show

VALLEJO, Cal., Oct. 27. — Because of the tremendous national defense boom here, and influx of thousands of workers for Mare Island Navy Yard, the 700-seat Marvel, a Fox-West Coast house, has added five acts of vaudeville to its regular showing of films, at 50 cents top.

Grosses Boom On Broadway Over Weekend

(Continued from page 1)

new pictures, enjoyed a roaring business.

On the strength of its weekend performance, "Honky Tonk" will play fifth week at the Capitol, the first at the theatre's standard prices to do so since "David Copperfield" in 193. It brought an estimated $16,00 Thursday through Sunday and will begin its fifth week Thursday.

Now in its fifth week at the Roxy "A Yank in the R.A.F.," with a stag show, drew weekend business that would ordinarily warrant an additional week's playing time but because of the congested booking schedule it bows out Thursday night to make way for "Belle Starr." The show grossed an estimated $30,000 Friday through Sunday.

"Sergeant York," with Phil Spitalny's orchestra, continues strong at the Strand, giving the theatre an estimated $24,200 Friday through Sunday. The show, now in its second week, will be held.

"Dr. Jekyll and Mr. Hyde" ended its 11th week at the Astor Sunday night with an estimated $7,400 and continues. "Target for Tonight" in its second week at the Globe, was good for an estimated $4,000 Saturday and Sunday and will be another holdover.

Wobber, Zanuck in for 'Valley'

Herman Wobber, 20th Century-Fox distribution chief, will arrive here from the Coast today for the opening of "How Green Was My Valley." Darryl Zanuck, vice-president in charge of production, will attend.

The proceeds of the opening will go to the Navy Relief Society. Rear Admiral Adolphus Andrews, commandant of the Third Naval District is scheduled to head a group of naval officers, including Rear Admiral Lamar Leahy, Rear Admiral Edward J. Marquart, Captain Booth McKinney and Captain J. L. G. Stapler. Walter Pidgeon and Donald Crisp, who have leading roles in the film, will be at the premiere.

Other notables scheduled to attend include: Sigrid Undset, Mrs. Cushing Roosevelt, Sonja Henie, Averill Harriman, Mr. and Mrs. Vincent Astor, Irene Dunne, Jules S. Bache, Herman Shumlin, Bill Robinson and others. Thirty-one out-of-town newspaper critics will attend.

Majors Weigh Split Of English Money

(Continued from page 1)

British funds accumulated during the past two years have been suggested and, according to report, this is responsible for the delay in reaching an agreement on method.

The amount of blocked revenue which is to be released is variously estimated at from $10,000,000 to $17,500,000.

Joins Canada Film Board

MONTREAL, Oct. 27.—Wesley Greene, formerly of the International Film Bureau, Chicago, has been named supervisor of non-theatrical distribution for the National Film Board of Canada in the United States.

Short Subject Reviews

Lend a Paw"
Disney Cartoon)
RKO)

Pluto, Mickey's dog, is engaged in fierce battle within himself between s conscience and the devil, as a small en appears to be usurping his place Mickey's affections. Finally, after ally amusing inner conflict, the bet- r nature triumphs. Most entertain- g. Running time, 8 mins. Release, ct. 3, 1941.

Hollywood Sports"
Picture People, No. 2)
RKO Pathe)

Most of this subject is devoted to ctures of Gail Patrick and her Hollywood baseball team, while Guy ibbee teaches his young son to fish, nd several other stars play tennis efore a Hollywood gallery. The film ans probably will enjoy seeing the tars off the set. Running time, 9 ins. Release, Oct. 10, 1941.

'I'll Fix It"
Edgar Kennedy Comedies)
RKO)

Edgar Kennedy, the husband to whom everything happens, this time lecides to save the plumber's charge or installing a new hot-water heater, nd goes about doing it himself, amply indered by brother-in-law and wife. What befalls him is more than anyone should have to stand, and it is good or a few laughs. Running time, 17 nins. Release, Oct. 17, 1941.

"Helping Hands"
(Our Gang)
(M-G-M)

Our Gang goes in for national de- fense in a big way here, forming an "army," providing mother with more pantry space by removing the alumi- num ware, and the like. Thus, the short, about standard in entertainment for the series, abounds in exploitation potentialities. Running time, 11 mins. Release, Sept. 27, 1941.

"The Frozen North"
(Terry-Toon Cartoon)
(20th Century-Fox)

A cartoon journey through the Arctic furnishes this Terry-Toon with many absurdities which give it aver- age entertainment value. Its treat- ment, with commentary, is in the na- ture of a burlesque on travelogues. Running time, 7 mins. Release, Oct. 7, 1941.

'Yank' Captures Big $8,600 Omaha Gross

OMAHA, Oct. 27.—"A Yank in the R. A. F." and "Dressed to Kill" were good for $8,600 at the Orpheum. The weather was rainy and cold.

Estimated receipts for the week ending Oct. 21-22:

"Texas" (Col.)
"Ladies in Retirement" (Col.)
BRANDEIS — (1,200) (30c-44c) 7 days. Gross: $4,200. (Average, $4,000)
"Smilin' Through" (M-G-M)
"Whistling in the Dark" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,100. (Average, $6,000)
"A Yank in the RAF" (20th-Fox)
"Dressed to Kill" (20th-Fox)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $8,600. (Average, $7,000)

'Truth' Scores Neat $10,000, Providence

PROVIDENCE, Oct. 27.—With night business good but matinee trade off, it was just a fair week, with "Nothing But the Truth" and "Ice-Capades" at the Strand leading with $10,000.

Estimated receipts for the week ending Oct. 22-24:

"The Little Foxes" (RKO)
"Mexican Spitfire's Baby" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. 2nd week. Gross: $6,500. (Average, $6,000)
"International Lady" (U.A.)
"Married Bachelor" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,000. (Average, $11,000)
"A Yank in the R.A.F." (20th-Fox)
"Cracked Nuts" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days, 2nd week. Gross: $7,200. (Average, $7,000)
"Nothing But the Truth" (Para.)
"Ice-Capades" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $10,000. (Average, $6,000)
"Riders of the Purple Sage" (20th-Fox)
FAY'S—(1,800) (20c-33c-44c) 7 days. Stage show with Talia; Billy Wells and the Four Fays; Jack La Vier and Co.; Julio San and Mystic; Ray and Arthur; Le Paul. Gross: $5,900. (Average. $5,000)
"Federal Fugitives" (P.R.C.)
METROPOLITAN—(3,045) (30c-39c-55c) 3 days. Stage show with Tommy Tucker's Orchestra; Amy Arnell and Kerwin Somerville; Henny Youngman; Samuels Brothers and Hayes; Trixie. Gross: $6,300. (Average, $5,000)
"Forty Thousand Horsemen" (Krellberg)
"Dangerous Lady" (P.R.C.)
PLAYHOUSE—(1,378) (28c-44c) 3 days, 2nd week. Gross: $750. (7-day average, $2,500)
"Smilin' Through" (M-G-M)
"Down In San Diego" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)
"Tom, Dick and Harry" (RKO) (3 days)
"Forced Landing" (Para.) (3 days)
"Dive Bomber" (W.B.) (4 days)
"The Reluctant Dragon" (RKO) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

'Yank' in New Haven Scores Good $4,000

NEW HAVEN, Oct. 27.—The second week of "A Yank in the R. A. F." dualed at the College with "Private Nurse" brought $4,000. "Unfinished Business" and "Black Cat" at the Roger Sherman grossed $6,100.

Estimated receipts for the week ending Oct. 23:

"A Yank in the R.A.F." (20th-Fox)
"Private Nurse" (20th-Fox)
COLLEGE—(1,499) (40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $2,700)
"Belle Starr" (20th-Fox)
"Ringside Maisie" (20th-Fox)
LOEW-POLI—(3,040) (40c-50c) 7 days. Gross: $8,900. (Average, $8,000)
"Hold Back the Dawn" (Para.)
"World Premiere" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days, 2nd week. Gross: $4,100. (Average, $4,500)
"Unfinished Business" (Univ.)
"Black Cat" (Univ.)
ROGER SHERMAN—(2,200) (40c-50c) 7 days. Gross: $6,100. (Average, $5,000)

'Honky Tonk' Sets Pace in Milwaukee

MILWAUKEE, Oct. 27. — "Honky Tonk" and "The Feminine Touch," playing Fox's Wisconsin and Palace simultaneously, collected $8,000 at the former house and $5,500 at the latter.

Estimated receipts for the week ending Oct. 23:

"Honky Tonk" (M-G-M)
"The Feminine Touch" (M-G-M)
PALACE—(2,400) (33c-44c-55c) 7 days Gross: $5,500. (Average, $4,000).
"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Whistling in the Dark" (M-G-M)
STRAND—(1,400) (44c-65c) 7 days. Gross: $1,900. (Average, $1,500)
"International Squadron" (W. B.)
"This Woman Is Mine" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $5,300. (Average, $4,500)
"Honky Tonk" (M-G-M)
"The Feminine Touch" (M-G-M)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $8,000. (Average, $5,500)



MERCY ISLAND

Ray Gloria

MIDDLETON · DICKSON

OTTO KRUGER

DON DOUGLAS · FORRESTER HARVEY

TERRY KILBURN · WILLIAM MORGAN—Director

Screen play by Malcolm Stuart Boylan
From the novel "Mercy Island" by Theodore Pratt

A REPUBLIC PICTURE

Buy U.S. Defense Bonds

'Havana' with $16,000 Lead Chicago Tally

CHICAGO, Oct. 27.—The Roosevelt, with "Week End in Havana" and "The Smiling Ghost" led with $16,000. "The Little Foxes" and "Mexican Spitfire's Baby" drew $15,000 at the Palace.

Estimated receipts for the week ending Oct. 23:

"Ladies in Retirement" (Col.)
APOLLO—(1,400) (30c-40c-59c) 7 days. Gross: $5,500.

"Nothing But the Truth" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage—Variety Bill. Gross: $30,000. (Average, $32,000)

"The Law of the Tropics" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,500. (Average, $5,000)

"Charley's Aunt" (20th-Fox)

"Parson of Panamint" (Para.)
ORIENTAL—(3,200) (25c-40c) 7 days. Gross: $8,000. (Average, $9,000)

"The Little Foxes" (RKO)

"Mexican Spitfire's Baby" (RKO)
PALACE — (2,500) (30c-40c-60c) 7 days, 2nd week. Gross: $15,000. (Average, $13,000)

"Week End in Havana" (20th-Fox)

"The Smiling Ghost" (W.B.)
ROOSEVELT—(1,500) (30c-40c-59c) 7 days, 2nd week. Gross: $16,000. (Average, $11,000)

"Broadway Limited" (U.A.)
STATE-LAKE—(3,700) (25c-35c-40c-50c) 7 days. Stage—"Hawaiian Nights" Revue. Gross: $17,500. (Average, $14,000)

"Dr. Jekyll and Mr. Hyde" (M-G-M)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days, 2nd week. Gross: $13,500. (Average, $14,000)

Group Will Discuss Children's Pictures

Representatives of the New York Public Library, the Schools Motion Picture Committee and the National Board of Review will meet Thursday at the Nathan Straus Branch Library for a discussion of motion pictures for children. Margaret Scoggin, librarian of the branch, will preside.

Speakers will include: Julien Bryan, director; Bosley Crowther, New York *Times* critic; Frederick M. Thrasher, New York University; Mabel Williams, in charge of work with schools of the Library; Mrs. Alonzo Klaw, chairman of the Schools Motion Picture Committee, and William Boehnel, *World-Telegram* film critic. Members of the Young Reviewers group of the National Board of Review also will participate. In connection with the work the library branch is conducting an exhibit of sketches, drawings and models used in pictures now being released.

Legion Approves Nine New Pictures

The National Legion of Decency for the current week approved all of the nine new pictures reviewed and classified, five for general patronage and four for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage — "Down Mexico Way," Gauchos of Eldorado," "Riders of the Timberline," "Roaring Frontiers," "Silver Stallion." Class A-2, Unobjectionable for Adults — "Appointment for Love," "The Chocolate Soldier," "How Green Was My Valley," "Suspicion."

Bioff Attempts to Shift Blame on Film Executives

(*Continued from page* 1)

sisted that he was merely a go-between or "pickup man."

Bioff admitted receiving large sums of money, even more than $500,000—"over $1,000,000," he said— but that he "picked it up" in order to give it to Joseph M. Schenck, former chairman of 20th Century-Fox. The money was "collected" from various sources in the trade, Bioff stated.

"I was just a pickup man," he testified.

Bioff described the transactions as being for the purpose of assuaging "sandbagging legislators" around the country.

Names Industry Persons

The labor leader mentioned numerous names of persons in the industry from whom he had received various amounts, but said that he didn't retain the money, turning it over to Joseph M. Schenck. He also testified that a trip to South America and Europe which he made in 1938 was paid for by industry persons.

His testimony covered a wide period, allegedly from 1934 up to the present. He met Nicholas M. Schenck, Bioff stated, after the IATSE in 1934 took over the affairs of Local 306, New York operators' union.

C. C. Moskowitz introduced him to N. M. Schenck, Bioff testified. He also testified that it was in July, 1935, that he was approached by N. M. Schenck to be a go-between with Joseph M. Schenck in handling money to be used for placating legislators who were attacking the industry.

Bioff testified that he told N. M. Schenck he would gladly be of assistance in this respect. Following two or three conversations about the matter, N. M. Schenck told him that Paramount and Warner Bros. were "in trouble" and that Bioff should communicate with John Balaban and James Coston in Chicago, and in consequence obtained $60,000 in currency from John Balaban and $30,000 in cash from Coston. A week later, Bioff stated, he visited Joseph M. Schenck in Hollywood and turned over the $90,000 to him.

Told to Expect More

Bioff testified further that N. M. Schenck told him shortly after this, in New York, that he could expect other sums of money from C. C. Moskowitz, Major L. E. Thompson of RKO and Marvin Schenck. Bioff said he received $7,500 from Marvin Schenck, $10,000 from Major Albert Warner, $25,000 from C. C. Moskowitz and $20,000 from Thompson, and that he turned this money over to Joseph M. Schenck. Bioff also said he got $500 expense for making the trip. In all, Bioff said, he made 12 such payments to Joseph M. Schenck between August, 1935 and February, 1937, but that these did not include payments made as a result of the Du-Pont-Smith & Aller deal.

Bioff added that the last payment he received was from Attorney Austin C. Keough, general counsel of Paramount, which he said was probably in 1935.

The labor leader also testified that it was agreed between Joseph M. Schenck and himself in these transactions to use "Mr. Link" as a code name in telephone conversations.

Bioff listed as others from whom he received money Samuel Brenner, Chicago attorney; two other attorneys whose names he could not recall; Henry Herzbrun, then a Paramount studio executive; Harry M. Warner, Sidney M. Kent, Nicholas M. Schenck; Samuel Carlisle, George Skouras; Hugh J. Strong, Charles Skouras; Mort Singer and Jules Rubens, of B. & K.

Bioff testified that he turned over all money collected from Norman Thor Nelson, his brother-in-law, and Harry Beatty, former IATSE representative, which these two obtained as commissions from Smith & Aller, also to Joseph M. Schenck, the last payment being made in April this year. Bioff said he received nothing further from Beatty after that date and therefore paid nothing to Joseph M. Schenck.

Said U. S. Inquiring

Shortly before February, 1938, Joseph M. Schenck told Bioff, the latter said, "that Government agents are searching the different company's books about these payments and that it would be best for me to be out of the way so that they could not interrogate me." Bioff said Joseph M. Schenck suggested that he take the Rio de Janeiro trip.

Bioff said he got the trip gratis and received his transportation tickets from Ruth Nolander, Joseph M. Schenck's secretary. Mrs. Bioff accompanied him on the trip, Bioff said. They left on the *SS. Normandie* on Feb. 5, 1938, and returned at the end of that month, Bioff said. Upon his return, Bioff stated he was met by C. C. Moskowitz who, he said, telephoned Joseph M. Schenck and who was advised that conditions had become much better "but that I should proceed on to London and that Mr. Moskowitz would make the arrangements."

Went to Europe

Bioff testified that he received tickets to London where he was met by Francis L. Harley, in charge of the 20th Century-Fox London office, and Robert T. Kane. All hotel bills were paid by Harley and a car was placed at his disposal, Bioff said. Subsequently, Harley suggested a visit to Paris, Bioff continued, and he spent seven or eight days there where similar arrangements were made for him by the 20th Century-Fox representative. A car was placed at his disposal and a short trip through Belgium and Holland was arranged, Bioff said.

Upon his return to Los Angeles, Bioff said, he met Joseph M. Schenck who told him "that things were shaping up pretty fair and not to worry about it; he said not to say anything to anybody and to sit tight; he told me not to circulate too much."

In the Spring of 1939, Bioff stated, Joseph M. Schenck told him that Government agents had detected the payments for the trip and it was arranged that Bioff was to write Schenck a letter thanking him for the "loan." Schenck gave him $500 to enclose in the letter, Bioff said.

Bioff then continued with a story of a $100,000 transaction with Joseph M. Schenck in 1937. Bioff said that he had wished to purchase a farm and that Schenck agreed to lend him $100,000 to pay for the land and improvements.

Bioff said he was reluctant to accept the loan as he feared a "check-up." "With my position in the labor movement, it wouldn't look well," he stated. However, the loan was arranged with Arthur W. Stebbins, Schenck's nephew, but the real estate deal did not go through, and Bioff said he returned the $100,000 in cash to Joseph M. Schenck in the presence of Miss Nolander.

Joseph M. Schenck thereupon offered to help Bioff make some money, the defendant testified and arranged for a purchase of 1,000 shares of 20th Century-Fox stock at 21½ when it was selling at 24½; 500 shares of Consolidated Oil at 11 when it was selling at 13, and 500 additional shares of Consolidated Oil at the market.

Other witnesses during the day were Stephen B. Newman, former IATSE representative. Herbert Aller, nephew of Sidney Aller, of Smith & Aller, who told of his employment by Local 69, IATSE; William C. Elliott, who preceded George E. Browne as IATSE president; a telephone company representative who identified slips showing a phone call from Loew offices in New York to a "Mr. Link;" and a representative of the travel agency which arranged Bioff's trip to Europe.

'Honky Tonk' Gets $26,500 Philadelphi

PHILADELPHIA, Oct. 27.—Grosses the downtown houses held at ev levels last week with standout bu ness registered by "Honky Ton drawing $26,500 at the Stanley. "H Back the Dawn" drew $15,800 at Boyd.

Estimated receipts for the week en ing Oct. 14-17:

"Lydia" (U.A.)
ALDINE — (1,400) (35c-41c-46c-57c-68c) days, 2nd week. Gross: $6,500. (Avera $6,900)

"New Wine" (Para.)
ARCADIA — (600) (35c-46c-57c) 7 da Gross: $3,600. Average, $2,600)

"Hold Back the Dawn" (Para.)
BOYD — (2,400) (35c-41c-46c-57c-68c) days. Gross: $15,800. (Average, $13,000)

"Henry Aldrich for President" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) days. Vaudeville including Sammy Kay orchestra, Charlie Wilson, Marty McKenn Alan Foster, Tommy Ryan, Arthur Wrigh Maury Cross, Three Kadets, Bob Trou Three Smart Girls, and Joe & Jane M Kenna. Gross: $21,000. (Average, $14,00

"Charlie Chan in Rio" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) days. Vaudeville including Sally Rand unit. Gross: $9,000. (Average, $6,900)

"A Yank in the R.A.F." (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 day 2nd week. Gross: $13,500. (Average, $13,0

"Major Barbara" (U.A.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) days, 2nd run. Gross: $3,500. (Averag $3,000)

"Nothing But the Truth" (Para.)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) days, 3rd run. Gross: $3,900. (Average $4,500)

"Honky Tonk" (M-G-M)
STANLEY—(2,700) (35c-41c-46c-57c-68c) days. Gross: $26,500. (Average, $14,000)

"Ladies in Retirement" (Col.)
STANTON—(1,700) (35c-46c-57c) 7 days Gross: $5,000. (Average, $4,500)

hicago Labor Unit sks FCC Approval or New FM Station

ASHINGTON, Oct. 27.—The Chi- o Federation of Labor has asked FCC for a construction permit for ew FM station, to operate on 47,- kilocycles covering 10,800 square es in Chicago with a population of 9,461.

pplications also were filed by Sta- s WBOC, Salisbury, Md., for nge of frequency from 1,230 to 960 cycles and increase of power from to 1,000 watts; WHAS, Louis- e, for increase of power from 50,- to 75,000 watts, and KRNR, seburg, Ore., for change of fre- ncy from 1,490 to 1,030 kilocycles l increase of power from 100 watts ht, 250 watts day, to 10,000 watts. The commission ordered a hearing, a date to be set later, on the ap- cation of the Southwestern Michi- n Broadcasting Corporation for a w 980 kilocycle, 1,000 watt station Kalamazoo, Mich.

ower Increase to Wash. Station

An increase of power from 250 to 0 watts has been granted Station AN, Vancouver, Wash., by the C, but power-increase applications three other stations were ordered hearing, at dates to be set later. The commission ordered hearings on e applications of Stations WDNC, rham, N. C., for change of fre- ency from 1,490 to 660 kilocycles d increase of power from 250 watts 1,000 watts night, 5,000 watts day; RAL, Raleigh, N. C., for change frequency from 1,240 to 620 kilo- cles and increase of power from 0 watts to 1,000 watts night, 5,000 atts day; and KGNC, Amarillo, ex., for change of frequency from 440 to 860 kilocycles and increase power from 1,000 watts night, 2,500 atts day, to 5,000 watts night, 10,000 atts day.

ar Brings Longer Playtime in Turkey

WASHINGTON, Oct. 27.—In an ef- rt to conserve film stocks, theatres Turkey are holding films for a far reater length of time than had been e practice before the war, accord- g to a report by the U. S. Depart- ent of Commerce.

The loss of the French product has aused an increase of the number of nglish-speaking films shown. The- tre attendance is holding up well. dmission tickets are taxed a total f 20 per cent, but exhibitors are equired to absorb the levy. The nited States is still overwhelmingly he chief source of origin of films ex- ibited in Turkey, supplying 108 out f 164 during the first half of this ear.

Set Daily Matinees

MILWAUKEE, Wis., Oct. 27.—War- ers is now offering daily matinees at ts Tower and Oriental, deluxe neigh- orhood houses, with a 22-cent ad- mission from 12:30 to 5:30 Mondays hrough Fridays.

Ballantine Stays on MBS

Mutual declared yesterday that P. Ballantine & Sons, sponsors of "Three Ring Time," will not transfer the pro- gram to NBC-Blue on Nov. 7.

NBC Survey Shows Television Audience

A survey by NBC revealed the following average listeners per set in the New York metropolitan area during the week of July 28-Aug. 2, according to Alfred H. Morton, vice-president in charge of television, in *Radio Age*, new RCA publication:

	Adults	*Children*	*Total*
Home			
Day	1.8	1.1	2.9
Evening	4.5	1.3	5.8
Public Places			
Day	9.3	1.9	11.2
Evening	19.8	2.1	21.9

The survey showed an average of 55.6 per cent of sets turned on during the day and 80.1 in the evening. Applying these percentages, Morton concluded that the television audience totaled 11,000 daytime and 30,000 in the evening.

Kentucky Will Halt Tax Ticket Printing

FRANKFORT, Ky., Oct. 27.—Discontinuance of state printing of tax tickets for small theatres and amusement places because of new Federal regulations has been made known by Revenue Commissioner H. Clyde Reeves.

The new regulations, Reeves said, require the name of each theatre to be printed on its tickets. Since 1936, the State Revenue Department has supervised the printing of tickets for between 800 and 900 small amusement places and charged the cost to the operations in addition to the state tax levied on them.

Protest Breakdown Of Clear Channels

ROCHESTER, Oct. 27.—Strong objection to a further breakdown by the FCC of clear channel radio broadcasting stations was voiced in a resolution adopted by the Central Western Zone, State Teachers Association, here. More than 7,000 teachers attended the sessions.

The House of Delegates took the stand on the ground "that such action will deprive the rural areas and small towns of the United States of the present high standards of broadcasting service.

Increase KQW Power

SAN FRANCISCO, Oct. 27.—Work has begun on increasing KQW's power from 5,000 to 50,000 watts, preparatory to the station replacing KSFO as CBS northern California outlet, on Jan. 1, according to owner-manager Ralph R. Brunton, former NAB director.

Bausch & Lomb Net

ROCHESTER, Oct. 27.—Bausch & Lomb Optical Co. has reported net profit for the nine months ended Sept. 30 of $1,302,643, equal after dividends paid on five per cent preferred stock to $2.67 a share. This compares with net profit of $1,369,575 or $2.84 a share in the like 1940 period.

Stage Shows in Detroit

DETROIT, Oct. 27.—The Michigan Theatre here has booked Clifford C. Fisher's "Follies Bergere" for the week of Nov. 28 and a variety show for the week of Dec. 5.

Senate Will Weigh Nomination of Durr

Washington, Oct. 27.—The Senate Interstate Commerce Committee will meet tomorrow in executive session to consider the nomination of Charles J. Durr to be a member of the Federal Communications Commission. Durr's nomination was sent to the Senate by President Roosevelt Oct. 13 to fill the vacancy created by the expiration of Frederick I. Thompson's term last June 30.

America First Not Barred: Trammell

Niles Trammell, NBC president, yesterday answered charges of the America First Committee that its spokesmen had been barred from the air by the major networks by pointing out that "self-styled anti-war speakers" had broadcast 70 times over NBC as compared with 56 broadcasts by speakers "whom you are pleased to designate pro-war advocates."

Trammell said that 30 minutes had been offered over 62 stations to the speakers who will address a meeting in Madison Square Garden Thursday night but that the time had been refused.

CBC in Agreement With Employe Units

OTTAWA, Oct. 27.—An agreement has been reached between the management of the Canadian Broadcasting Corp. and representatives of CBC employes, it was announced following a three-day meeting of regional representatives of employes councils of the company.

The agreement provides for organization of staff councils at CBC operating points, which will include all staff members except department heads and administrators. It also provides machinery for functioning of the councils, and for an annual meeting of council representatives to consider CBC employe problems.

New Station Brings Mexico Total to 109

MEXICO CITY, Oct. 27.—Operating commercial radio stations in this country have been increased to 109 with the opening in Queretaro, capital of Queretaro state, of XEJX, of 5,000 watts, owned and operated by Ramon Rodriguez Familiar, former Queretaro governor.

Station XELZ here is now operating at 1,000 watts and has a new frequency of 1440 kcys.

Station XEBP at Torreon, Coahuila state, averted a strike by making a contract which allows increased wages and other concessions. The Federal Government intervened to avert this strike.

Crosley Sets Dividend

CINCINNATI, Oct. 27.—The Crosley Corp., operating WLW, WSAI and WLWO, international short wave station, and manufacturing various electrical appliances, including radio receiving sets, has declared a 30-cent common stock dividend, payable Nov. 21 to stockholders of record Nov. 3.

Only Network Plea to Delay F. C. C. Rules

WASHINGTON, Oct. 27.—Further deferment of the application of the new network regulations scheduled to go into effect Nov. 15, will be ordered only on formal application from the networks, it was declared today by FCC Chairman James L. Fly.

The commission itself, Fly said, has no present intention of ordering any postponement of the effective date. So far, he added, no application has been received for such deferments.

Both CBS and NBC have declared that they would take the issue to the courts. CBS stated that it would seek a court injunction to prevent enforcement of the new rules, pending a court decision of the rights of the FCC to enact the new regulations, while NBC said it was relying on Fly's previous statement that there would be no effort to enforce the rules if the networks took the matter to the courts.

Services Are Held For Louis Fischer

Funeral services were held last night at the Masonic Temple for Louis Fischer, restaurant operator, who died at the age of 61 on Saturday at West Point. For many years he was managing director of Reisenweber's Restaurant at Eighth Ave. and 58th St., once the city's most noted cabaret.

With Percy E. Elkeles, he is credited with introducing shows in restaurants. After Reisenweber's closed, Fischer became a Labor Department agent, and later was named executive director of the New York City Alcoholic Beverage Control Board. Surviving are a brother and three sisters.

Theatres Unaffected By Ottawa Blackout

OTTAWA, ONT., Oct. 27.—The first complete test blackout in the 60 square miles of the Ottawa Federal District last night had little effect on theatre business.

The Cartier and Laurier theatres in Hull, although their marquee lights were extinguished, carried on during the half-hour blackout and managers reported average audiences. As it was Sunday, no theatres were open in Ottawa, and managers made sure that all visible lights were put out Saturday night.

Location Problem

Sacramento, Oct. 27

STUDIOS, accustomed to using the Sacramento River and its freight boats for Mississippi River sequences, will have to look elsewhere.

The United States Government has conscripted the old stern and paddle wheelers as Navy training boats, and the river traffic is now being hauled by truck.

A MESSAGE TO THE CRITICS
WHO HAVE COME FROM ALL
OVER THE NATION TO COVER

The World Premiere of

HOW GREEN WAS MY VALLEY

at New York's Rivoli Theatre tonight
(Tuesday, Oct. 28)



HELEN EAGER
of the Boston Herald-Traveler

. . . You will share in the gaiety and revelry of the song and celebration when Ivor Morgan weds the lovely Bronwen.



PRUNELLA HALL
of the Boston Post

...Your favorite scene will be that one in which Angharad cries: "What do you know about what could happen to a poor girl when—when she loves a man so much that even to lose sight of him for a moment is torture!"



BUCK HERZOG
of the Milwaukee Sentinel

. . . Your laughter will w
and eyes mist as young Hu
goes to his lonely and wi
owed sister-in-law and offe
to be head of her house!



HENRY T. MURDOCK
of the Phila. Eve. Public Ledger

. . . You will never forget the scene of power and fire when Gruffydd denounces the gossipers and hypocrites in his congregation.



RICHARD PETERS
of the Cleveland Press

. . . Through the years, you will remember the voice that tells the story of a town that might be your town . . . of people you might have known and loved . . . of the greenness that once shone in the Valley!



ARTHUR F. SPAETH
of the Cleveland News

. . . You will thrill to the sel
less courage that sends
handful of men and a lo
boy into the black peril of
mine cave-in.

20th CENTURY FOX

DO NOT REMOVE

rt,
elligent
l
ispensable
the Motion
ture
ustry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

50. NO. 85 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 29, 1941 TEN CENTS

off Grilled n False Oaths At U. S. Trial

mits Perjury in Other Legal Proceedings

Do you feel bound by the sanc- of an oath?" Federal Judge n C. Knox demanded of Wil- Bioff, IATSE leader, on trial extortion, in court, yesterday.

do," said Bioff, after his at- ey, Michael Luddy, arose to ct to the court's question as judicial."

dge Knox's question came at the lusion of Bioff's cross-examina- by U. S. District Attorney Math- F. Correa.

To Correa, Bioff admitted that e had testified falsely twice efore in legal proceedings and hat he had also falsified an pplication for insurance. He lso admitted under Correa's xamination that he had not iven an accurate story about is employment under his own awyer's direct examination.

orrea, after getting Bioff to admit he had never been a stagehand,

(Continued on page 6)

ohn Paid $145,600, SEC Report Shows

Harry Cohn, president of Columbia tures Corp., was paid $145,600, in- ding expense allowance, during the r ended June 30, 1941, according a report of the Securities and Ex- nge Commission. George Stevens, ector, received $174,359. and Irene nne was paid $135,000.

The report stated that as of Oct. 1941, the company had borrowed

(Continued on page 6)

'alley' Is Given Broadway Opening

n an atmosphere dominated by the ited States Navy, both in theatre oration and in the person of many those in attendance, 20th Century- x last night opened "How Green as My Valley" at the Rivoli The- e on Broadway. The premiere, at- ded by a group of invited Naval cers, film executives and represen- ives of New York society and er notables, was for the benefit of Navy Relief Society.

With service pennants strung across oadway and searchlights playing on

(Continued on page 3)

Chicago, New Haven Exhibitors Win Cut In Zone Clearance

Exhibitor plaintiffs in Chicago and New Haven won clearance reductions through arbitration actions at the local boards yesterday.

Meanwhile, in Philadelphia, the clearance complaint of Lewen Pizor, president of the United M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, on behalf of his Tioga Theatre, Philadelphia, was withdrawn. The complaint named Paramount, 20th Century-Fox and Warners and was scheduled for hearing at the arbitration board there today.

The Chicago clearance adjustment results from the settlement by RKO of a complaint brought by K & S Theatre Corp. for its Sheridan Theatre, North Chicago, Ill. Under the settlement, the Sheridan's former run of second week of general release is restored to it. The house alleged that it had been deprived of the run by RKO and Warners some time ago and subjected to clearance in favor of the Times, Waukegan, which is two

(Continued on page 6)

Empire Union Signs Bronx House Pact

The Empire State Operators Union has signed a contract with the Tremont Theatre Corp. for projectionists at the Tremont Theatre in the Bronx, after a week of picketing. The contract carries the same terms as under

(Continued on page 6)

Further Film Probe Delay Seen Likely

Washington, Oct. 28.—Further postponement of hearings on alleged motion picture propaganda is believed likely here with the Senate isolationist group, members of which are sponsoring the films hearings, now occupied with the neutrality revision bill under debate in the Senate.

Chairman D. Worth Clark of the investigating sub-committee said after holding his long-awaited conference with Senator Charles W. Tobey today regarding future hearings, that he would issue no statement disclosing what had been agreed upon until tomorrow.

Chairman Clark previously had stated that he planned to resume the hearings next Monday.

Expect 175 at Dinner Of Pioneers Tonight

Approximately 175 members have made reservations for the Hallowe'en dinner of the Picture Pioneers at Toots Shor's restaurant tonight Wendell L. Willkie will be guest of honor. The largest number of candidates the organization has inducted into membership at one time will be initiated. Jack Cohn will be the initiating officer.

Among the new members will be: Harry Cohn, Harry Moskowitz, Charles W. Koerner, Louis Rosen-

(Continued on page 6)

Bernhard Is Warner Bros. Vice-President

Kalmenson Will Appoint Three District Heads

Joseph Bernhard was elected vice-president of Warner Bros. Pictures, Inc., at a meeting of the company's board of directors yesterday. He will retain the presidency of Warner Bros. Circuit Management Corp., the theatre company, in addition to handling greater executive duties in his new post, the company stated.



Joseph Bernhard

Bernhard will appoint an assistant in the theatre department within the next few days. The appointment will be made from within the Warner ranks, he stated.

Bernhard's election to the new post was forecast exclusively in MOTION PICTURE DAILY on Monday. The new post is said to carry with it executive

(Continued on page 6)

Iowa Group to Give 16mm. Data to I.T.O.

DES MOINES, Oct. 28.—The committe of representative members of the film industry in Iowa, appointed to investigate the 16mm situation in the state, has decided to turn over all material and evidence to Leo F. Wolcott, president of the Allied ITO of Iowa and Nebraska, completing the work of the committee.

It was recommended that Wolcott present the situation to the next general exhibitor meeting, and that if additional data were required a new committee be named, to consist of exhibitors only.

Metro to Show Four Films Nov. 10 and 12

M-G-M yesterday announced trade showings of four new season pictures. "Kathleen" and "Design for Scandal" will be shown in all exchanges on Nov. 10, and "H. M. Pulham, Esq., and "Tarzan's Secret Treasure" will be shown on Nov. 12.

"How Green Was My Valley"

[20th Century-Fox]

THERE is no question that Darryl Zanuck's production of the popular and widely read novel, "How Green Was My Valley," by Richard Llewellyn, is an achievement in the art of the screen of which 20th Century-Fox and all connected with the film may well be proud.

It is a moving, dramatic story of the drab lives of the people of a Welsh mining town, personified in the Morgan family, deeply attached to their once green and charming valley, turned tawdry and smoke-laden by the coal mine which gives sustenance—but hardly enough—to the townspeople. The production had been beautifully mounted, and directed with rare skill by John Ford, who hereby adds another feather to an already well-filled cap. There is quality enough for praise to go completely around.

Too much cannot be said of the performances. There is little to choose among them, so consistently excellent are they all, including Donald Crisp, as Mr. Morgan; Maureen O'Hara, his daughter; Sara Allgood, his wife; Walter Pidgeon, the preacher; Anna Lee, wife of one of Morgan's six sons; Roddy McDowall, the small son; John Loder, the eldest; Barry Fitzgerald, contributing high comedy with his accent

(Continued on page 3)

Coast Flashes

Hollywood, Oct. 28

MONOGRAM Pictures Corp. today announced that its unaudited report for the first quarter ended Sept. 27 shows a net profit of $39,459 after provision for all taxes.

•

Signal Corps Reserve officers, including Lieut. Col. Darryl Zanuck, Col. Nathan Levinson, Major John Aalberg and Capt. Gordon S. Mitchell are expected back late in the week from Washington where they are to confer on production of training films.

•

Ralph Murphy will succeed the late Victor Schertzinger as director of "The Fleet's In" for Paramount, it was announced today. Schertzinger had virtually completed the picture when he died last weekend.

•

The Pacific Coast Section, Society of M. P. Engineers, will be guest of the department of cinema of the University of Southern California Thursday evening. Dr. Albert S. Raubenheimer will preside.

•

Hal Forbes, executive vice-president of Sunbeam Productions, left for New York today for conferences in connection with a series of westerns planned by the company.

•

Paramount today announced the purchase of "The Stars Shine On," story of a mail order house employe, by Marion Parsonnet and William Thiele.

Personal Mention

HERMAN WOBBER returned last night from California.

•

IRVING C. JACOCKS, JR., Connecticut MPTO head, is back at the Branford Theatre, New Haven, after several days' sick leave.

•

JULES LAPIDUS, Universal district manager, left yesterday for Philadelphia. He is expected back early next week.

•

ERNEST MORRELL, head of Loew's transportation department, is recuperating at Jamaica Hospital following an operation.

•

MAXWELL WEINBERG, manager of the Little Theatre in Baltimore, has returned from a visit in Atlantic City.

•

MORRIS COHN of Columbia in Albany will return there as a salesman in November, having been released from the Army.

•

ROY SULLENDER, assistant manager of Warners' Stanton, Philadelphia, became the father of a son last week.

MARY PICKFORD left for the Coast last night with stopovers at Cincinnati and Kansas City.

•

JAMES P. CLARK, head of Highway Express Lines, Philadelphia, was named association chairman of the local 1942 United Charities Campaign's industry and finance department.

•

HARRY A. ROSS, president of Ross Federal Service, has returned to his office after being ill with pneumonia.

•

LEO TRAINOR, manager of the Rialto, Allentown, Pa., has been named head of the industry committee for the annual Community Chest charity drive.

•

SYLVIA KALICKMAN, secretary to DAVID MILGRAM, head of Affiliated Theatres, Philadelphia, has announced her engagement to MICHAEL COHEN, of Pittsburgh.

•

KATHERINE SPENCER of Warner Theatres is confined to New Haven Hospital with pneumonia.

Grainger Reports Deals

James R. Grainger, Republic president, has returned here from a three-week tour of the country. While in St. Louis he closed a new season product deal with Fanchon & Marco and the St. Louis Amusement Co., covering first-run and neighborhood houses.

New Musical Will Make Bow Tonight

A new musical comedy, "Let's Face It," with Danny Kaye, Eve Arden, Benny Baker, Mary Jane Walsh, Edith Meiser and Vivian Vance in featured roles, opens tonight at the Imperial. The book is by Herbert and Dorothy Fields. Songs are by Cole Porter. Vinton Freedley is the producer.

Pittsburgh Club to Hold New Election

PITTSBURGH, Oct. 28.—The local Variety Club will not introduce its new officers at its annual banquet Nov. 2 in the William Penn Hotel. The coming year's executive board will not have been elected despite the club's having held an election Oct. 13. The reason is that the recent election of directors has been declared invalid because of insufficient notification about a change of place for the election. Another election will be held Nov. 10 in the club's quarters.

Lasky Sets Budget On Mark Twain Film

A tentative production budget of more than $1,000,000 has been set for "The Adventures of Mark Twain," which will be Jesse L. Lasky's next production for Warners, the producer said on his arrival here from the Coast yesterday. Lasky said the picture would go before the cameras shortly after the first of the year.

Lasky plans to remain in New York about two weeks.

Horlacher Name Changed

PHILADELPHIA, Oct. 28.—Horlacher's Delivery Service, film delivery service, headed by James P. Clark, has officially changed its name to Highway Express Lines, Inc.

Newsreel Parade

PRESIDENT ROOSEVEL takes the lead in the midweek s sues in delivering his Navy Day a dress. Football is given the usual tention. The reels and their content

MOVIETONE NEWS, No. 15.—Roo velt's speech. Parachutist in six-mile ju in Chicago. Beaverbrook and Harriman Moscow. British troops arrive in Sing pore. Flying fortresses in Hawaii. Gia windmill in Vermont. Minnesota-Michig Notre Dame-Illinois football.

NEWS OF THE DAY, No. 213—Roo velt's Navy Day address. Troops in Sing pore. Football: Northwestern-Ohio Stat Alabama-Georgia.

PARAMOUNT NEWS, No. 18—Floo in Canada. New defense tax in New Yor Electric windmill in Vermont. Record pa achute jump in Chicago. Chattanooga i fant does calisthenics. Action at shipyard John L. Lewis calls strike. Roosevelt speech. Football: Minnesota-Michigan; N tre Dame-Illinois; Pittsburgh-Duke.

RKO PATHE NEWS, No. 18—Roos velt's speech. Flood in Kansas. Dougl Fairbanks, Jr., in the Navy. Giant win mill in Vermont. Football: Minnesot Michigan; Navy-Harvard; Alabama-Geo gia. Bishop Tucker in Washington.

UNIVERSAL NEWSREEL, No. 27—Roosevelt's speech. Japanese forces in Ind China. New Japanese cabinet. Britis troops in Iran. Kansas City negroes i herit fortune. Football: Minnesota-Mich gan; Northwestern-Ohio State; Mississipp Tulane.

Several Speakers For Ampa Meeting

Jesse L. Lasky and Douglas C Cole, Canadian Government Trad Commissioner, will be guests a the Ampa lunch at the Hotel Edison today, when J. J. Fitzgibbons, president of Famous Players Canadian Corp., will be principal speaker. The luncheon will start at 12:45 P. M.

Austin Keough, Paramount general counsel, will introduce Fitzgibbons. Mort Blumenstock, Eastern advertising and publicity head for Warners, will introduce Lasky.

Kilgore Denver Partner

MEMPHIS, Oct. 28.—Robert Kilgore has resigned as manager of Loew's Palace here to accept a partnership in the Victory Amusements Co., which operates two theatres in Denver. Boyd Fry has been transferred from Loew's United Artists in Louisville to take over management of Loew's Palace.



5 COOL, COMFORTABLE WAYS TO GO TO

LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York	4:55 pm and 5:10 pm
	Ar. Dallas-Ft. Worth	1:31 am and 1:27 am
	Ar. Los Angeles	7:52 am and 7:37 am
THE PLAINSMAN	Lv. New York	4:10 pm
	Ar. Dallas-Ft. Worth	1:20 am
	Ar. Los Angeles	7:44 am
THE SOUTHERNER	Lv. New York	11:15 pm
	Ar. Dallas-Ft. Worth	8:24 am
	Ar. Los Angeles	3:12 pm
THE SUN COUNTRY SPECIAL	Lv. New York	6:45 am
	Ar. Dallas-Ft. Worth	4:41 pm
	Ar. Los Angeles	12:45 am

For reservations, call your Travel Agent or HAvemeyer 6-5000.
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ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Valley' Is Given Broadway Opening

(Continued from page 1)

theatre front, which was designed accordance with the theme of the n, the premiere was impressive. he opening also was a tribute to m Ford, the film's director, who is ebrating his 25th anniversary in e industry, and is now on active ty with the Navy.

Rear Admiral Adolphus Andrews, mmandant of the Third Naval Dist, headed the Navy contingent atnding.

Darryl F. Zanuck, vice-president in arge of 20th Century-Fox produc-n, attended from Hollywood.

Others in attendance included: Her-an Wobber, Will H. Hays, Ned E. epinet, Jules Brulatour, Mr. and rs. Martin Quigley, Mr. and Mrs. lvin Brown, Jack Cohn, Joseph rnhard, Sam Shain, William Ger-an, George and Spyros Skouras, seph Vogel, Leon Netter, Charles oerner, A. M. Botsford, William ichel, Morris Kinzler, Mrs. Edwin Weisl, W. C. Gehring, W. J. Kup-r, William Sussman, Joseph Mos-witz, Sigrid Undset, Sonja Henie, ene Dunne, Herman Shumlin, Mrs. shing Roosevelt and others.

Eve' Hits $13,000; Toronto Week Big

TORONTO, Oct. 28.—"It Started Vith Eve" took $13,000 at the Up-own, and "Hold Back the Dawn" at ie Imperial registered $12,800 in a rong week.

Estimated receipts for the week nding Oct. 25:

Quiet Wedding" (British)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 ays, 2nd week. Gross: $2,800. (Average, ,500)

Hold Back the Dawn" (Para.)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 ays. Gross: $12,800. (Average, $9,000)

Honky Tonk" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 ays, 2nd week. Gross: $9,500. (Average, 9,000)

Nothing But the Truth" (Para.)
SHEA'S — (2,480) (18c-30c-42c-60c-90c) 6 ays. Gross: $12,000. (Average, $9,000)

Here Comes Mr. Jordan" (Col.)
The Richest Man in Town" (Col.)
TIVOLI — (1,434) (12c-30c-48c) 6 days. ross: $3,700. (Average, $3,900)

It Started with Eve" (Univ.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 ays. Gross: $13,000. (Average, $9,000)

ndianapolis Gives 'York' Big $16,000

INDIANAPOLIS, Oct. 28.—"Sergeant ork" took a smash $16,000 at the ircle. "Smilin' Through" and "Dr. ildare's Wedding Day" did $9,200.

Estimated receipts for the week nding Oct. 24:

Sergeant York" (W.B.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. ross: $16,000. (Average, $6,500)

New York Town" (Para.)
Henry Aldrich for President" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. ross: $5,600. (Average, $7,000)

Smilin' Through" (M-G-M)
Dr. Kildare's Wedding Dav" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. ross: $9,200. (Average, $8,000)

A Yank in the R.A.F." (20th-Fox)
Charlie Chan in Rio" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd veek. Gross: $5,500. (Average, $4,500)

Resume Standard Time

SOUTH BEND, Ind., Oct. 28.—South Bend, Mishawaka and several other northwestern Indiana communities returned to Standard Time Sunday, about a month later than the rest of the state.

"How Green Was My Valley"

(Continued from page 1)

and appearance; the Welsh Singers; Patric Knowles, the ex-boxer, and all the rest.

It is a sharply etched picture of this town and its people, done with consummate skill in art direction, photography and settings to provide a depth of realism rarely matched.

It is true that the film at times moves slowly, but that is quite in keeping with the lives and manner of the people concerned. There is little of preachment, other than an occasional sharply drawn contrast between mine owners and workers, and a cry for the necessity of unionizing for the benefit of the miners.

The story is told from the first person viewpoint of the small son, recounting his early years in the valley, which form the basis of the story. Pictured is the flow of life of the Morgan family, dutiful, respectful, hard-working, making much of little things, saddened by the hypocricy of the scandal-loving gossips, who feast upon the love of the preacher and Miss O'Hara.

Highlighting the picture are the denunciation by Miss Allgood of the men who would ostracize her husband because he protests their union activities; the boy's first days in the national school, when he is bullied by older, wealthy boys and a tyrannical and brutal schoolmaster, and the delightful bit in which the ex-boxer and Fitzgerald administer a sound thrashing to that schoolmaster; the fire and explosion in the colliery, which kill Morgan, in the unending scheme of life in the mining town.

The film is fully worthy of every effort exhibitors can put into its selling, as a fine and distinguished example of what the screen can accomplish.

Running time, 118 minutes. "G."* CHARLES AARONSON

"Riders of Black Mountain"

(Producers Releasing)

THIS is lacking in effectiveness. Flaws in sound and photography combined with generally poor staging are chiefly responsible.

What appears to be the western's sole asset is the name of Tim McCoy, who has the lead, that of a marshal posing as a gambler while investigating a series of stagecoach holdups. The yarn is strictly routine.

Sigmund Neufeld produced the picture, which was directed by Peter Stewart. Rex Lease, Edward Peil, Sr., Frank La Rue and Pauline Hadden are in supporting roles.

Running time, 59 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

'Mexico' and Show Lead Kansas City

KANSAS CITY, Oct. 28. — "Down Mexico Way" and a stage show featuring Smiley Burnette, drew $8,700 at the Tower. "Unfinished Business" drew well at the Esquire and Uptown in nine days.

Estimated receipts for the week ending Oct. 21-24:

"Unfinished Business" (Univ.)
ESQUIRE—(800) (30c-44c) 9 days. Gross: $4,100. (Average for 9 days, $3,000)

"Smilin' Through" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $8,800. (Average, $8,500)

"Navy Blues" (W.B.)
"Smiling Ghost" (W.B.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week for "Navy Blues." Gross: $7,000. (Average, $7,000)

"Sergeant York" (W.B.)
ORPHEUM—(1,900) (40c-55c) 7 days, 3rd week. Gross: $5,500. (Average, $5,000)

"Down Mexico Way" (Rep.)
TOWER—(2,200) (30c-50c) 7 days. Stage: Smiley Burnette 2 days, Hoosier Hot Shots 5 days, plus other acts. Gross: $8,700. (Average, $6,000)

"Unfinished Business" (Univ.)
UPTOWN — (2,000) (30c-44c) 9 days. Gross: $6,000. (Average, 9 days, $5,000)

St. Louis Club Plans

ST. LOUIS, Oct. 28.—The local Variety Club is planning a party at its new quarters in the Coronado Hotel Nov. 15. Arrangements are being made for at least one affair a month at the club. New officers are scheduled to be elected Nov. 7.

'York' in Baltimore At Record $32,000

BALTIMORE, Oct. 28. — "Sergeant York" broke all records for the first week of its engagement at the Stanley here with $32,000 at a slight increase in prices. "Father Takes a Wife" plus a stage show at the Hippodrome drew $21,000.

Estimated receipts for the week ending Oct. 23:

"Honky Tonk" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days, 2nd week. Gross: $10,400. (Average, $10,000)

"Nothing But the Truth" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $14,000. (Average, $9,000)

"A Yank in the R.A.F." (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $8,000. (Average, $7,000)

"Sergeant York" (W.B.)
STANLEY — (3,280) (40c-44c-55c-66c) 7 days. Gross: $32,000. (Average, $12,000)

"Father Takes a Wife" (Col.)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring the Four Ink Spots and Louis Prima with his orchestra. Gross: $21,000. (Average, $14,000)

GTE Shows Quarter Profit of $393,304

General Theatres Equipment Corp. and subsidiaries, excluding Cinema Building Corp., yesterday reported for the three months ended Sept. 30 consolidated net profit of $393,304 after provision for depreciation and estimated Federal income and excess profits taxes. This compares with net profit of $173,797 reported for the corresponding quarter last year.

'Smilin' Draws $35,500 at 2 Boston Spots

BOSTON, Oct. 28.—"Smilin' Through" coupled with "Tanks a Million" gave Loew's State and Orpheum a total gross of $35,500. "The Little Foxes" plus "Unexpected Uncle" held up well for the second week at the Keith Memorial with a gross of $19,000.

Estimated receipts for the week ending Oct. 22-25:

"Burma Convoy" (Univ.)
KEITH BOSTON—(2,697) (30c-44c-55c-65c) 7 days, stage show including "The Follies Bergere of 1942." Gross: $12,000. (Average, $8,000)

"The Little Foxes" (RKO)
"Unexpected Uncle" (RKO)
KEITH MEMORIAL—(2,907) (30c-33c-40c-55c) 7 days, 2nd week. Gross: $19,000. (Average, $16,000)

"Unfinished Business" (Univ.)
"The Smiling Ghost" (W. B.)
METROPOLITAN—(4,367) (28c-30c-40c-55c) 7 days. Gross: $14,300. (Average, $15,500)

"A Yank in the R.A.F." (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
PARAMOUNT—(1,797) (28c-30c-40c-44c-55c) 7 days, 2nd run. Gross: $9,200. (Average, $7,500)

"A Yank in the R.A.F." (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
FENWAY—(1,320) (28c-30c-40c-44c-55c) 7 days, 2nd run. Gross: $6,100. (Average, $4,500)

"Sun Valley Serenade" (20th-Fox)
"This Woman Is Mine" (Univ.)
SCOLLAY—(2,500) (28c-30c-40c-55c) 7 days, 3rd run. Gross: $4,700. (Average, $4,000)

"Smilin' Through" (M-G-M)
"Tanks a Million" (U.A.)
LOEW'S STATE—(3,000) (30c-40c-44c-55c) 7 days. Gross: $16,300. (Average, $12,000)

"Smilin' Through" (M-G-M)
"Tanks a Million" (U. A.)
LOEW'S ORPHEUM—(2,900) (30c-40c-44c-55c) 7 days. Gross: $19,200. (Average: $17,500)

'Honky Tonk' Best In Detroit, $14,000

DETROIT, Oct. 28.—"Honky Tonk" and "Dr. Kildare's Wedding Day" grossed $14,000 at the United Artists, "A Yank in the R.A.F." and "Moonlight In Hawaii" had a second good week for $20,000 at the Fox.

Estimated receipts for the week ending Oct. 23:

"Badlands of Dakota" (Univ.)
"Mob Town" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,000. (Average, $5,500)

"Moon Over Miami" (20th-Fox)
"Out of the Fog" (W.B.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,400. (Average, $7,000)

"A Yank in the R.A.F." (20th-Fox)
"Moonlight In Hawaii" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) 7 days, 2nd week. Gross: $20,000. (Average, $15,000)

"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days, 2nd week. Gross: $14,000. (Average, $12,000)

"Underground" (W.B.)
"Devil Dogs of the Air" (W.B.)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Honky Tonk" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c.) 7 days. Gross: $14,000. (Average, $10,000)

Mexico Bans 'Billy'

MEXICO CITY, Oct. 28.—On the ground that it contains material objectionable to Mexico and her people, the Federal Film Supervising and Censoring Department has forbidden exhibition in this country of "Billy the Kid," M-G-M film.

LAST NIGHT!...

Here are the highlights of what happened on Broadway!

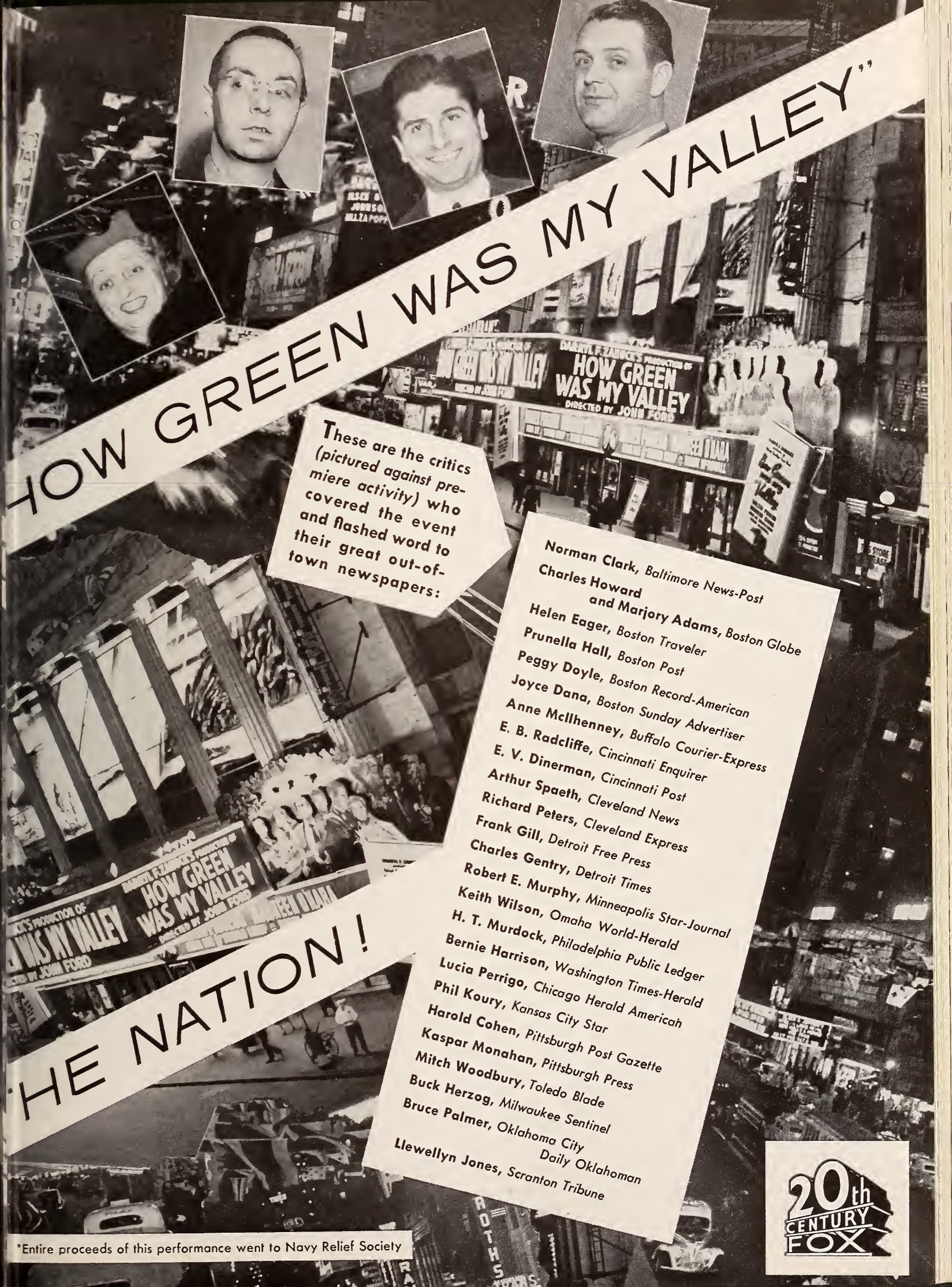
Crowds such as New York sees only on Election Night or New Year's Eve jammed Broadway for blocks around the Rivoli! Special police arrangements to control throngs and traffic! Tremendous street banner and spectacular front lit by gigantic searchlights! A battery of newsreels covered arrival of innumerable celebrities! All major networks participated in special broadcasts of proceedings! World-famous Welsh Women's chorus of 75 in costume sang from specially constructed stage in front of Rivoli! Bands played! Two-way trans-Atlantic broadcast between Capt. Richard Llewellyn and Kate Smith! And a sell-out audience that paid $2.50 for their premiere seats* thrilled, wept, laughed, cheered and applauded a masterpiece of entertainment!

THE NEW YORK PREMIERE O

DARRYL F. ZANUCK'S PRODUCTION OF
HOW GREEN WAS MY VALLEY
DIRECTED BY JOHN FORD

DARRYL F. ZANUCK'S PRODUCTION OF
HOW GREEN WAS MY VALLEY
DIRECTED BY JOHN FORD

DAZZLE


HOW GREEN WAS MY VALLEY"
THE NATION!
These are the critics (pictured against pre-miere activity) who covered the event and flashed word to their great out-of-town newspapers:
Norman Clark, Baltimore News-Post
Charles Howard and Marjory Adams, Boston Globe
Helen Eager, Boston Traveler
Prunella Hall, Boston Post
Peggy Doyle, Boston Record-American
Joyce Dana, Boston Sunday Advertiser
Anne McIlhenney, Buffalo Courier-Express
E. B. Radcliffe, Cincinnati Enquirer
E. V. Dinerman, Cincinnati Post
Arthur Spaeth, Cleveland News
Richard Peters, Cleveland Express
Frank Gill, Detroit Free Press
Charles Gentry, Detroit Times
Robert E. Murphy, Minneapolis Star-Journal
Keith Wilson, Omaha World-Herald
H. T. Murdock, Philadelphia Public Ledger
Bernie Harrison, Washington Times-Herald
Lucia Perrigo, Chicago Herald Americah
Phil Koury, Kansas City Star
Harold Cohen, Pittsburgh Post Gazette
Kaspar Monahan, Pittsburgh Press
Mitch Woodbury, Toledo Blade
Buck Herzog, Milwaukee Sentinel
Bruce Palmer, Oklahoma City Daily Oklahoman
Llewellyn Jones, Scranton Tribune
HOW GREEN WAS MY VALLEY
DIRECTED BY JOHN FORD
20th CENTURY FOX
*Entire proceeds of this performance went to Navy Relief Society

Bernhard Is Warner Bros. Vice-President

(Continued from page 1)

duties in the distribution department. Bernhard will be among the home office executives who will attend the meeting of Warners' branch managers here Friday and Saturday.

The meeting was called by Benjamin Kalmenson, newly appointed general sales manager, who is scheduled to make several appointments to fill existing vacancies in executive posts in the sales organization, among them three district managerships covering the South and Southwest.

Bernhard joined Warners in 1929. In addition to heading the theatre subsidiary he is a member of the board of Warner Bros. Pictures, Inc., and a vice-president and director of the Stanley Co. of America. He was associated with the latter company before joining Warners. He became head of the theatre department in 1931 after a period as head of the company's real estate department.

He is chairman of the theatre division of the Motion Picture Committee Cooperating for National Defense and chairman of the USO Theatre drive. In 1938 he was named by Governor Harry Moore of New Jersey to serve as chairman of the Unemployment Relief Commission, and until recently was a member of the Health, Welfare and Recreation committee of the New Jersey Defense Council.

Complete Plans for Capital Club Party

WASHINGTON, Oct. 28.—With Carter T. Barron, Loew's zone manager, as general chairman, plans are near completion for the Variety Club's eighth annual banquet at the Hotel Willard Nov. 15.

Committee chairmen include: Frank LaFalce, publicity; Harry Anger and Gene Ford, entertainment; Harry Somerville, special talent, hotel reservations and dinner; Sam Wheeler, tickets; Sidney Lust, program; Arch Engel, printing; Herbert Sauber and Max Rosenberg, decorations; Fred Rohrs, reception; Guy Wonders and Joseph Morgan, distinguished guests; Clarke Davis, night club entertainment; James A. Pratt, projection; John Allen, out-of-town contacts; Angie Ratto and Wade Pearson, uniform personnel; Rudolph Berger, raffle; A. Julian Brylawski, finance, and the Revs. John K. Cartwright and John C. Palmer and Rabbi Norman Gerstenfeld, chaplains.

Harriet Hoctor, Fred Keating and Harrison & Fisher are among the stage stars who have been enlisted in support of Gracie Fields at the Variety Club's British War Relief benefit in Constitution Hall Saturday night.

One Formed, 2 Dissolved

ALBANY, Oct. 28.—Vigor Motion Picture Corp. has been chartered here by Sanford Greene, Jerome Edwards and Lillian Schwarz, New York. Williston Theatre, Inc., and Washton Amusement Corp., New York, have been dissolved.

Bioff Admits Giving False Testimony, Grilled by U.S.

(Continued from page 1)

pointed to testimony given by the defendant before a California legislative committee in which he had testified that he had been a stagehand and a member of the IATSE since 1923. Bioff answered flatly that he was never a stagehand or a member of the union.

"Then why did you tell the committee that you were?" Correa demanded.

"I said it for the benefit of a bunch of Communists," was Bioff's reply.

"You mean the California legislative committee was a bunch of Communists?" Correa continued.

"I never was stagehand," answered Bioff.

Admits Falsehoods

Correa persisted in his questioning along those lines until Judge Knox insisted that the witness give a direct answer. Bioff thereupon admitted that he had not told the truth to the committee.

Correa questioned Bioff with reference to his testimony that his first employment in the labor movement was as driver of a car for Jerry Leahy in Chicago. Producing testimony given in habeus corpus proceedings in Chicago on March 6, 1940, in connection with Bioff's 1922 pander conviction, Correa pointed out that Bioff there testified under oath that he had been employed by Mike Galvin and had not mentioned Leahy.

Bioff admitted that he had not told the truth in that case. Asked why he had given false testimony, he stated that Mike Galvin had been a prominent Democratic leader in Chicago and that he had wished to convey the impression that he was a friend.

"Were you trying to impress the judge?" Judge Knox demanded. Bioff hastily replied that he was trying to impress friends of his who were sitting in court and who might not remember him because he had put on weight since he had left Chicago.

Defense Objects

Correa followed this by asking whether Bioff had subsequently dropped Galvin's name in his direct testimony in the present case because Galvin had been killed in a Chicago gang war but this was ruled out after defense objections.

Following this, Correa introduced an application for a life insurance policy certified as true by Bioff in 1926 in which he stated that he had been employed as superintendent of a brick yard in St. Joseph, Mich, for 10 years. Bioff explained that he thought it was necessary to be employed to obtain life insurance and had falsified the application for that reason. He said he had been employed in that capacity for about six months "on and off" in 1926. Philip D'Andrea was owner of the yard.

Following Judge Knox's question about whether the defendant felt bound by the sanctity of an oath, the court recessed until this morning when Bioff's cross-examination will continue.

Earlier, on direct examination, Bioff had given flat denials of any threats or demands for money from industry executives and had stated that his co-defendant, George E. Browne, president of the IATSE, had never known of the payments of money by industry executives for delivery to Joseph M. Schenck, as Bioff had previously testified, nor had Browne ever been present on such occasions. Browne knew nothing of the Smith & Aller deal for raw stock commissions, Bioff also said.

Toward the close of his direct testimony, Bioff told how he had been arrested on Thanksgiving Day, 1939, on 1922 pander charges, just as an ultimatum given to producers on a strike was about to expire. On cross-examination, Correa asked whether Bioff had meant to imply that the producers had caused the arrest. Bioff replied that he thought that some of the producers who were unfriendly to him had caused the arrest. Bioff later admitted that he had told trade paper reporters at that time that Joseph M Schenck had caused the arrest. Bioff, however, admitted also that he had continued to act as "messenger" in the delivery of money for Schenck after his return from jail.

Relates Stock Deals

Most of the day was taken up with Bioff's testimony of how he had been aided in stock deals by Joseph M. Schenck and of his friendly relations with Harry M. Warner, president of Warner Bros. Bioff said he closed out his stock account at the request of Schenck when the latter complained that tax agents were bothering him about a $100,000 loan. In addition to dividends, Bioff, said, he made about $1,500 on the transaction and returned the money advanced to Schenck. He said the latter "declared me in" on card game winnings of $8,000 in 1937 and $4,375 in 1938, how he received a sun cabinet in 1936, and that he had received about $20,000 in all in gifts from Schenck.

Bioff also told of attending religious services with Warner, of being a guest at Harry M. Warner's home two or three times a week, of clocking horses with Warner, and of being permitted to buy stock in the Hollywood Turf Club and similar incidents.

He said S. R. Kent arranged for Charles G. Russell, former head tax commissioner, to handle income tax details for him.

Invited by Warner

Bioff said that Harry M. Warner had invited him to attend a meeting at which the industry organized to oust Communists and Bundists from the industry.

He said that Nicholas M. Schenck, president of Loew's had told him that it was necessary to "take advantage" of the 7½ per cent commission offered by Smith & Aller on the raw stock deal and that Nicholas M. Schenck made the arrangements with Louis B. Mayer, Loew's studio head. All commissions collected were turned over to Bioff who turned them over to Joseph M. Schenck after deductions for salaries and income taxes, Bioff testified.

Russell and Ruth Nolander, Joseph M. Schenck's secretary, are scheduled to be called as defense witnesses, it was indicated yesterday.

Chicago, New Haven Exhibitors Win Cut In Zone Clearance

(Continued from page 1)

and one-quarter miles distant. Warners was eliminated from the complaint three weeks ago after restoring the run requested by the Sheridan.

At New Haven, A. A. Ribicoff, arbitrator, ruled that the existing clearance for the New Newington Theatre, Newington, Conn., operated by Fred Quatrano, is unreasonable and established a maximum clearance for the house of 21 days after New Britain first run. The case named all five consenting distributors. Since Warners' Strand and Embassy in New Britain were interested parties, the arbitrator's award does not apply to the clearance which that company allows those houses on its own product. Costs were divided equally among the parties.

In its complaint the New Newington had set forth that some distributors had offered it 30 days' clearance after New Britain first run and others had offered it 37 days. The theatre had sought a reduction of clearance to seven days. The arbitrator held that even though the award is likely to give the New Newington a clearance prior to the Palace, a New Britain second run, that fact "will not be detrimental to the latter theatre's revenue nor to the revenue of the distributors."

Expect 175 at Dinner Of Pioneers Tonight

(Continued from page 1)

bluh, Nathan Hirsh, W. C. Michel, Harry C. Arthur, Jr., H. S. Eskin, H. E. Rosenquest, Nathan E. Goldstein, William R. Ferguson, Haskell M. Masters, Phil Hodes, Hal Horne, Jack Levin and Russell C. Roshon.

Pete Smith of Hollywood and Max Lefkowich of Cleveland will be inducted in absentia.

Cohn Paid $145,600, SEC Report Shows

(Continued from page 1)

$2,650,000 from banks under a loan agreement dated March 26, 1941, covering a total of $3,000,000 of loans from these banks. The loans are to mature Feb. 28, 1946.

Abe Montague, general sales manager, has an option to purchase 7,880 shares of stock at $7.62½ cents a share at any time before Aug. 10, 1946, according to the report.

Empire Union Signs Bronx House Pact

(Continued from page 1)

the previous operation of the theatre by George Stamatis, who sold the house recently.

The contract provides for two men in the booth, 35-hour work week, two-weeks vacations with pay and salary of $40 per week.

Heads Warner Club

CHICAGO, Oct. 28.—Steve Fitzgerald, manager of the Stratford Theatre here, is the new president of the Warner Club of Chicago. He succeeded Al Blasko, who resigned when he was transferred to Milwaukee, which is out of the club district.

Self Defense

St. Louis, Oct. 28

UNIVERSITY of Missouri students at Columbia, who celebrate victories of their football team with an invasion of the town's theatres, will be admitted free upon presentation of student council membership cards. Heretofore a gridiron triumph signaled a mass invasion of the theatres by the student body, marked by disregard of cashiers and doormen.

Honky Tonk' Hit in Pittsburgh, $25,000

PITTSBURGH, Oct. 28.—"Honky Tonk" almost doubled average business at Loew's Penn with $25,000, while "Sergeant York" set a new holdover record for the Warner, $12,000.

Estimated receipts for the week ending Oct. 23:

"It Started With Eve" (Univ.)
FULTON—(1,700) (30c-50c) 7 days. Gross: $7,200. (Average, $5,000)
"Honky Tonk" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $25,000. (Average, $13,000)
"A Yank in the R.A.F." (20th-Fox)
SENATOR—(1,800) (28c-39c-55c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)
"Flying Blind" (Para.)
"Highway West" (W.B.)
RITZ—(800) (28c-44c) 7 days. Gross: $1,700. (Average, $3,000)
"Navy Blues" (W.B.)
STANLEY—(3,600) (28c-44c-66c) 7 days, on stage: Benny Meroff's "Funzafire." Gross: $16,000. (Average, $18,000)
"Sergeant York" (W.B.)
WARNER—(2,000) (30c-44c-66c) 7 days, 2nd week. Gross: $12,000. (Average, $5,000)

York' Is Strong in Newark at $20,000

NEWARK, Oct. 28. — "Sergeant York" set the season's record at the Branford, scoring $20,000. "Hold Back the Dawn" registered $14,400 in the third week at the Paramount-Newark.

Estimated receipts for the week ending Oct. 22-24:

"Sergeant York" (W.B.)
WARNER'S BRANFORD—(2,840) (30c-40c-55c-66c-75c) 7 days. Gross: $20,000. (Average, $14,000)
"Lydia" (U.A.)
"Tillie the Toiler" (Col.)
LOEW'S STATE—(2,589) (30c-44c-55c-65c-75c) 7 days. Gross: $13,800. (Average, $13,800)
"The Little Foxes" (RKO)
"Hurry, Charley, Hurry" (RKO)
RKO PROCTOR'S—(3,389) (25c-33c-44c-55c-65c-75c) 7 days, 2nd week. Gross: $15,100. (Average, $14,500)
"Hold Back the Dawn" (Para.)
PARAMOUNT-NEWARK — (2,200) (30c-44c-55c-65c-75c) 7 days, 3rd week. Gross: $14,400. (Average, $13,750)
"No Greater Sin" (University)
LITTLE—(299) (33c-44c-55c) 7 days, 5th week. Gross: $1,000. (Average, $1,800)

To Show Film on Ship

"Ships With Wings," produced in England by Michael Balcon, and which will be released by United Artists, will be shown to the crew aboard the *Ark Royal*, British aircraft carrier, now in England, prior to its opening at the Gaumont Theatre in London on Nov. 9, U. A. announced yesterday.

Theatre for Mill Workers

CHARLOTTE, N. C., Oct. 28.—E. E. Wade, who owns theatres in nearby Belmont, is equipping a building for a film theatre for textile mill workers at North Belmont.

Notes from Hollywood

Hollywood, Oct. 28

TO KATHRYN GRAYSON and JOHN CARROLL have gone the biggest roles of their careers, and good ones in anyone's, for that matter—the leads in "Rio Rita," ABBOTT and COSTELLO vehicle at M-G-M. The picture, rights to which were acquired from RKO, will be directed by S. SYLVAN SIMON who, likewise, draws the most important assignment he has had. PANDRO S. BERMAN is producing the de luxe musical.

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Valentine Davies, playwright, has reported to 20th Century-Fox to work on "Greenwich Village"; Eugene Thackrey has been given a term writing contract there, and Ben Hecht checked in to work on "Ten Gentlemen from West Point." . . . Clarence Brown is not going to England to direct "Random Harvest" for M-G-M.

• •

RICHARD CROMWELL, JOHN MILJAN, JACK C. SMITH from the stage, and MARY RUTH head the cast of Monogram's "Riot Squad," being produced and directed by EDWARD FINNEY . . . LEO ROBIN and RALPH RAINGER have assigned to the U.S.O. the rights to their patriotic song, "Uncle Sam Gets Around" . . . For its high budget picture "Lady for a Night," Republic is using 1,200 extras, a record for the lot . . . RKO has made a Marine Corps recruiting trailer with VICTOR MCLAGLEN and EDMUND LOWE playing their Marine parts from the picture, "Call Out the Marines." The trailer will be distributed by the Marine Corps and given free to exhibitors.

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Production has started on "Destiny," high budget horror-melodrama at Universal. Cast are CLAUDE RAINS, WARREN WILLIAM, RALPH BELLAMY, EVELYN ANKERS, PATRIC KNOWLES, BELA LUGOSI, DICK FORAN, LON CHANEY, JR., MARIA OUSPENSKAYA. GEORGE WAGGNER will produce and direct.

• •

Warners has purchased "Ethan Frome," novel by EDITH WHARTON, as a vehicle for BETTE DAVIS. RAYMOND MASSEY will co-star with her, according to plans . . . VAN HEFLIN joins ROBERT YOUNG and MARSHA HUNT in "Joe Smith, American," at M-G-M . . . "Shut My Big Mouth" is the new title for "I'm No Cowboy," JOE E. BROWN picture at Columbia which CHARLES BARTON will direct under producer ROBERT SPARKS. ADELE MARA, Latin starlet and singer, will have the feminine lead . . . JAMES SEAY has been set for "Torpedo Boat," Pine-Thomas picture starring RICHARD ARLEN . . . JOAN WOODBURY goes into "Dr. Broadway," at Paramount . . . The executive board of the Screen Writers Guild has named ALLAN SCOTT to head the clearing house committee for the distribution of writers' sketches to the nation's army camps.

• •

Warners has extended the contract of director Irving Rapper, as the result of his guidance of "One Foot in Heaven." He next will do the remake of "Humoresque." . . . Henry Blanke has been assigned production reins on "Rhapsody in Blue," life story story of the late George Gershwin, and "Treasure of the Sierra Madre," at the Warners. . . . Shirley Temple has been named "colonel" of the junior brigade of the motion picture division, Los Angeles Community Chest.

• •

Republic executives have decided to star FAY MCKENZIE, who appeared in "Down Mexico Way," in "Women with Wings," story of airline hostesses . . . JEROME COWAN gets an assignment in MGM's "Mr. and Mrs. North." . . JOHN HOWARD has been given top role in Columbia's "The Man Who Returned to Life."

Lewistown Houses Raise Price Scales

LEWISTOWN, Pa., Oct. 28.—Local theatres all have raised admission prices. Taxes included, the Embassy and Rialto increased adult admissions to 39 cents evenings and 28 cents matinees with children prices correspondingly 17 and 11 cents. In addition, both houses scaled the box-office at half price for all service men in uniform. New Pastime prices were raised to 22 cents evenings and 17 cents matinees for adults, children 11 and five cents, respectively.

Screen Milk Subject

"Penny a Day," documentary film on the milk program of the New York City schools, will be released tomorrow for showing in theatres in the five boroughs. The one-reel subject is presented by the Market Administrator of the metropolitan milk marketing area. It was produced by Frank Donovan and is narrated by Lowell Thomas.

'U' Plans Exhibitor Contest on Shorts

Universal will conduct an "Exhibitors' Goodwill Short Subjects Contest," from Nov. 1 to Jan. 31, with prizes to go to the exhibitors for outstanding promotion on shorts and serials. The contest was announced by B. B. Kreisler, short subject sales manager.

Trade paper editors and exhibitors will act as judges. The exhibitors include: Edward Alperson, Sam Dembow, Gus Eyssell, Si Fabian, Edmund Grainger, John Harris, John Hattem, Irving Lesser, Arthur Mayer, John Nolan, Eugene Picker, Sam Rinzler, Harry Rosenquest, Herbert Scheftel, George Skouras and John Wright. The trade paper representatives include: Terry Ramsaye and A-Mike Vogel, *Motion Picture Herald*; Sam Shain, MOTION PICTURE DAILY; Chester Bahn, *Film Daily;* Maurice Kann, *Boxoffice*; John E. Flinn, *Variety;* Jay Emanuel, *The Exhibitor*; Charles E. Lewis, *Showmen's Trade Review*; Mo Wax, *Bulletin*, and Lionel Toll, *The Independent.*

'York' Leads Philadelphia Gets $18,500

PHILADELPHIA, Oct. 28.—Downtown theatres enjoyed good business. "Sergeant York" led the field at the Aldine, at slightly increased prices, taking $18,500. "Honky Tonk" at the Stanley drew $19,500 in the second week.

Estimated receipts for the week ending Oct. 21-24:

"Sergeant York" (W.B.)
ALDINE—(1,400) (46c-57c-75c) 7 days. Gross: $18,500. (Average, $6,900)
"New Wine" (U.A.)
ARCADIA—(600) (35c-46c-57c) 5 days, 2nd week. Gross: $1,800. (Average, $2,600)
"Hold Back the Dawn" (Para.)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $11,000. (Average, $13,000)
"Blondie in Society" (Col.)
EARLE — (4,600) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Charlie Barnet's orchestra, Ford Leary, Bob Carroll, The Quintones, Lowe-Stanley & Hite, Billy Rayes and Pinky Tomlin. Gross: $18,000. (Average, $14,000)
"We Go Fast" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Sherry Britton, Ross & La Pierre, Anita Jakobi, Monroe & Grant, Equillo Brothers, Andy Arcari, Gae Foster Roxyettes and Billy Klaiss' orchestra. Gross: $6,900. (Average, $6,900)
"Weekend in Havana" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $15,000. (Average, $13,000)
"You'll Never Get Rich" (Col.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,500. (Average, $3,000)
"A Yank in the R.A.F." (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,800. (Average, $4,500)
"Honky Tonk" (M-G-M)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $19,500. (Average, $14,000)
"Texas" (Col.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $6,500. (Average, $4,500)

'Honky Tonk' Pulls $19,200 in Buffalo

BUFFALO, Oct. 28.—"Honky Tonk" at the Hippodrome established a record with a smash $19,200. "A Yank in the R. A. F." in a third week at the Great Lakes drew $8,300.

Estimated receipts for the week ending Oct. 25:

"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
BUFFALO—(3,489) (35c-55c) 7 days, 2nd week. Gross: $9,400. (Average, $12,000)
"A Yank in the R.A.F." (20th-Fox)
"The Smiling Ghost" (W.B.)
GREAT LAKES—(3,000) (35c-55c) 7 days, 3rd week. Gross: $8,300. (Average, $7,500)
"Honky Tonk" (M-G-M)
HIPPODROME—(2,100) (35c-50c) 7 days. Gross: $19,200. (Average, $6,800)
"No Greater Sin" (University)
"Three Sons O'Guns" (W.B.)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Gross: $7,000. (Average, $7,500)
"This Woman Is Mine" (Univ.)
"Mob Town" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $6,000. (Average, $6,300)

Menken Flew 35,000 Miles in Six Months

Arthur Menken, Paramount News cameraman, traveled 35,000 miles during a six-month tour of the Orient and Antipodes, from which he returned this week. He shot more than 50,000 feet of film during the trip. He reports having been bombed 34 times during a week in Chungking. All but 5,000 miles of the total he covered was by air. He left San Francisco last March and visited all important Far Eastern and Australian centers.

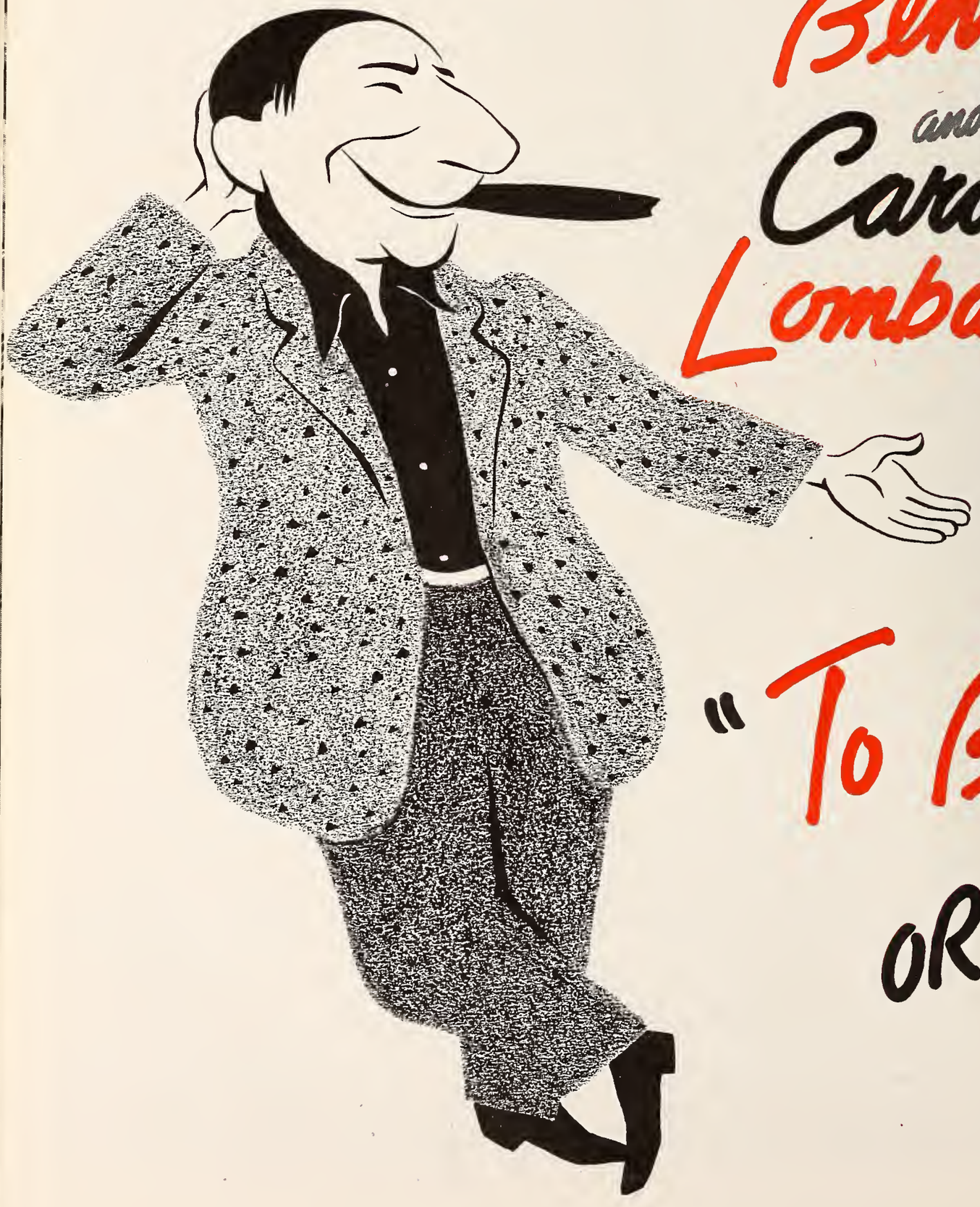
Alexander Korda announces a Comed

starring

Jack Benny

and

Carole Lombard



"To Be

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To

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Be"

Released thru United Artists

RESULTS OF 11,143 TH

Exhibitors' Undeniable First Choice, P



Republic Pictures
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11,143 THEATRES
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GENE AUTRY PICTURES

THAT'S WHY EXHIBITORS CHOSE
HIM AS BOX-OFFICE CHAMPION!

THAT'S WHY EXHIBITORS CHOSE
HIM AS PUBLIC COWBOY NO. 1.

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IT'S THE ENTERTAINMENT TIME OF YOUR LIFE!
BLENDING GREATER THRILLS WITH VIRILE ROMANCE!

IT'S THE INCOMPARABLE BOX-OFFICE TOPPER!



KICO WAY



ROLD HUBER
CAN RENALDO

DIRECTED BY JOSEPH SANTLEY
Screenplay by OLIVE COOPER - ALBERT DUFFY
Based on a Story by DORRELL *and* STUART McGOWAN

Introducing
FAY McKENZIE, *the C. A. Girl*

Music Peace Is Due Today; Webs to Sign

NBC and CBS were reported late yesterday to be prepared to sign the new Ascap licensing agreements today.

It was indicated that in the event the often delayed signing takes place as expected, NBC will be prepared to resume the use of Ascap music on its stations beginning tomorrow morning.

CBS, however, is reported considering a wait of one week after signing to permit its sponsors to plan their programs with the knowledge that the new music will be available then.

It was reported that both networks have received notice of acceptances of the new Ascap contract from considerably more than 90 per cent of their independent affiliated stations, but that neither network has received 100 per cent acceptances yet.

In addition, numerous minor points involving the new pacts are said to be still in dispute. However, to facilitate the signing of the agreement by the networks today, it has been agreed that covenants covering the subjects in dispute will be placed in escrow, permitting their settlement after the formal signing of the contracts themselves.

Ascap music has been off the two major networks since Jan. 1 of this year. It was returned to the Mutual network under a separate agreement last May.



THE CONTINENTAL

Lv. 5:10 pm. Thru Mainliner sleeper to Los Angeles.



No change of planes.
Fly the cool, scenic Main Line Airway.



Arrive Los Angeles
8:30 am. Four additional daylight and sleeper flights.

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Off the Antenna

PRESIDENT ROOSEVELT'S "the shooting has started" speech Monday night drew an audience of about 45,000,000 in this country, it was estimated yesterday by CBS after a survey report by C. E. Hooper. The survey showed 51.9 of all sets tuned to his voice during the speech. The "unlimited emergency" speech of May 27 drew a rating of 70, according to Hooper surveys; the "shoot first" talk, Sept. 11, drew 67.4, and the fireside chat of Dec. 29 on national security drew 59. Monday night's speech was heard around the world.

• • •

Purely Personal: *Samuel Chotzinoff, NBC music director, has been appointed by President Roosevelt as a member of the advisory committee on music to assist the State Department in its program of cultural relations among American republics. . . . Jim Moran, former Fred Waring press agent and more recently with Paramount Pictures, is now broadcasting a regular series of programs over WJSV, Washington, similar in content to those he once broadcast over WHOM. . . . Vincent Lopez, Tommy Tucker, Al Kavelin and Erskine Hawkins have awarded Pvt. Hugh Ward, Jr., a song writer, first prize in Broadcast Song Hits magazine contest, for his song, "Sentimental Serenade."*

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The second of Mutual's semi-annual program directors' meetings will be held at the Hotel Stevens, Chicago, Nov. 11 and 12, it was announced yesterday. Adolph Opfinger, the network's program director, will preside.

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Program News: Coca Cola has renewed "Pause That Refreshes on the Air" over 115 CBS stations. It was announced this is the largest hookup of CBS stations for any program, past or present. . . . "The Goldbergs" will complete its 12th year on the air Nov. 20. Procter & Gamble, the sponsor, will add 17 stations to the CBS hookup carrying the show on that day. . . . "Myrt & Marge" will celebrate its 10th anniversary Monday over CBS. . . . Sherwin Williams Co. will sponsor "Metropolitan Auditions of the Air" over NBC short wave for 22 weeks, starting Sunday.

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XEQ, Mexico City, *will hold a large stage and radio fiesta in Mexico City on Friday to celebrate the third anniversary of the establishment of the station.*

AFM Edict Brings Show Cancellation

PITTSBURGH, Oct. 28.—Stage shows at the Stanley Theatre have been cancelled after Oct. 30 as result of the ban by James Petrillo, AFM president, on name bands in theatres until the Social Security issue is settled, according to Joseph Feldman, Warner Theatres publicity head here.

The Stanley shows feature Max Adkins' house band and several vaudeville acts, even when a name band is the attraction. However, Feldman believed the no-stage-show edict would stand unless the AFM permits travelling bands to play. Xavier Cugat had been booked for the week starting Oct. 31.

Decide Radio Band Cost in Pittsburgh

PITTSBURGH, Oct. 28.—Radio stations WJAS and KQV, principal parties in the recent controversy with the American Federation of Musicians that resulted in temporary bans on band remotes over CBS and NBC, have agreed with President Claire Meeder of Local 60, AFM, on $29,560 as the amount of money to be spent aggregately by the two stations for staff orchestras during the year.

Details will be worked out by Meeder and officials of the stations. Both are owned by H. J. Brennen.

Garfield to Tour Camps

John Garfield is due from the Coast today by plane preparatory to taking off on Friday in a U. S. Army bomber on a two-week trip to Army and Navy bases. With other actors he will put on shows at camps and posts in Florida, Trinidad and the Caribbean.

RCA Photophone in Deal

RCA Photophone will service 11 preview rooms of RKO, according to a deal just made. Adolph Goodman, RCA assistant service manager, and A. A. Schubart of RKO negotiated.

Durr Is Approved By Senate Grou

Washington, Oct. 28.—Nomination of Charles J. Durr t be a member of the Federa Communications Commissio for a seven-year term begin ning last July 1, was approve today by the Senate Interstat Commerce Committee an sent to the Senate for th formality of ratification.

NBC Affiliates Mee To Talk Operatio

Station affiliates of NBC-Blue meet with network representatives New York today and NBC-Red resentatives will meet here tomor to discuss network operations. N Trammell, NBC president, will h charge of the meeting.

Among the topics to be discus it was announced, are: Developm of a coordinated plan of operation insure maximum efficiency in coo ation with defense agencies; study plans for maintenance of public rale and physical well-being dur any "unexpected emergency," maintain normal broadcasting as as possible in the event of emergen study of the effect of an emergency open war on NBC and its affilia stations; problems in handling news; the effects of priorities on tion operation.

Start Milwaukee Stud

MILWAUKEE, Wis., Oct. 28.—T Milwaukee *Journal* has started c struction of its new $750,000 Ra City here.



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dispensable
the Motion
cture
dustry

MOTION PICTURE DAILY

First in
Film and
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Brief,
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VOL. 50. NO. 86 NEW YORK, U. S. A., THURSDAY, OCTOBER 30, 1941 TEN CENTS

lumenstock ew National W.B. Ad Chief

hfeld to Announce Post t Meeting Tomorrow

lort Blumenstock, in charge of rners Bros.' advertising and licity in the East for the past four years, is to be named national manager of advertising and coordinator of all sales promotion, merchandising and exploitation activities for the company, it was disclosed yesterday.



ort Blumenstock

Blumenstock's appointment, ch carries with it new and broader

(Continued on page 8)

nate Film Inquiry s Again Postponed

ASHINGTON, Oct. 29.—The anticid postponement of further hearon alleged motion picture propada, was announced today by Sena D. Worth Clark of Idaho, chair of the sub-committee in charge of Nye-Clark Senate resolution.

lark said, in a very brief statement, the committee had decided to hold further hearings until after the

(Continued on page 8)

Circuits and AFM Settle Band Dispute

Executives of Warner, Paramount and RKO circuits yesterday agreed with James Petrillo, American Federation of Musicians president, to sign standard union contracts for name bands at theatres, subject to revision on amendments. The payment of Social Security by the theatres for the bands led to a dispute which caused the canceling of bands at Warners' Stanley in Pittsburgh pending settlement of the issue.

Ascap Music Back On Air as Networks Sign New Contract

The music war between the major networks and Ascap which has kept the society's music off the leading radio stations since Jan. 1 ended yesterday with the signing of new Ascap licensing agreements by NBC and CBS.

NBC authorized its stations to resume Ascap music immediately. CBS wired its stations that Ascap could be returned to the air beginning today.

The contracts are for an 18-year period and provide for payment by networks to Ascap of 2¾ per cent of their annual net billings. Clearance at the source is provided, and under it individual stations pay 2¼ per cent. The Mutual network, which signed with Ascap last May on a three percent royalty, will be entitled to the lower rate.

It has been estimated that the new radio contracts will yield Ascap approximately $3,000,000 annually, as compared with an estimated $5,000,000 which the society received from radio last year.

Pidgeon Is M.C. at Capital Relief Show

WASHINGTON, Oct. 29.—Carter Barron, Loew's zone manager here, and chairman of the local Variety Club's British war relief benefit show to be held Saturday night, has announced that Walter Pidgeon, Hollywood star, will act as master of ceremonies. Gracie Fields, English musical comedy star, will head the show.

Report Small May Leave U.A. Roster

Hollywood, Oct. 29.—It is reported in authoritative circles that Edward Small and United Artists are discussing a separation of their affairs. These discussions are reported to have developed out of recent financial talks between the parties. No positive action has as yet been taken, however, it is asserted. In the event of Small's departure from U. A., the company's roster will comprise Alexander Korda, David O. Selznick, Hal Roach and Arnold Pressburger.

Bioff's Messenger Role Followed on Short Acquaintance

William Bioff, on trial with George E. Browne on extortion charges in the Federal Court here, testified on cross-examination yesterday that he had spent only a maximum of six and one-half hours with Nicholas M. Schenck before the latter suggested that Bioff act as "messenger" in carrying large sums of currency to Joseph M. Schenck. These six and one-half hours, Bioff told Judge John C. Knox and a jury under questioning by Mathias F. Correa, U. S. Attorney, were spread over a period of about six

(Continued on page 8)

Fitzgibbons Describes War Role of Canadian Theatres

By SHERWIN A. KANE

Describing the wartime role of the theatre industry in Canada, J. J. Fitzgibbons, president of Famous Players Canadian Corp., told the Ampa luncheon meeting at the Hotel Edison yesterday that all industry must be prepared to justify its right to existence in a nation at war.

Fitzgibbons, Douglas C. Cole, Canadian trade commissioner, and Jesse L. Lasky were guests of honor at the meeting. Lasky related the "inside story" of how Alvin C. York was persuaded to authorize the use of his life story for the picture "Sergeant York."

Fitzgibbons asserted that admission

(Continued on page 8)

Camp Shows Circuit Starts in Caribbean

WASHINGTON, Oct. 29.—The first of a series of camp shows arranged by the Citizens Committee for the Army and Navy with the cooperation of the Motion Picture Committee Cooperating for National Defense, will take off from New York Monday in an Army transport plane for a 10-day tour of camps and stations at bases in the Caribbean, the War Department announced today.

Making the trip will be John Garfield, who will act as master of cere-

(Continued on page 8)

Sales Heads, Allied to Meet On Unity Plan

Kirsch and Samuelson Talk with Rodgers

Jack Kirsch and Sidney Samuelson, members and representatives of the Allied States committee on industry unity, are scheduled to meet today and tomorrow with sales executives of all distribution companies here to exchange views on the formation of an all-industry committee.

Kirsch, who is head of Allied of Illinois, arrived from Chicago yesterday and with Samuelson, who came here from Philadelphia, conferred with William F. Rodgers, Loew's vice-president and general sales manager, during the day. Rodgers has publicly expressed his interest in and hopes for the development of the proposed all-industry committee which, representing production, distribution and ex-

(Continued on page 8)

Firms Leave Eighth Of Fund in England

Major company representatives decided yesterday to permit one-eighth of the estimated $16,000,000 which they are authorized to withdraw from their blocked funds in Britain under the new monetary agreement to remain in London as a revolving fund.

As a result, only an estimated $14,000,000, or seven-eights of the total, of blocked funds will be withdrawn by the eight major companies, it was decided by their representatives at a meeting at MPPDA offices yesterday.

Indications are that the $20,000,000

(Continued on page 8)

Illinois, Va. Cases Filed on Clearance

CHICAGO, Oct. 29.—William Pearl, operating the Alcyon, Highland Park, Ill., today filed a clearance complaint for arbitration. He claimed Paramount, RKO and 20th Century-Fox have granted unreasonable clearance to theatres in Lake Forest, Wilmette and Libertyville, nearby towns.

WASHINGTON, Oct. 29.—The 10th arbitration case for the Washington board was filed today by the Bayne

(Continued on page 8)

Personal Mention

H. J. YATES is expected next week from the Coast.

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GABRIEL PASCAL, RUTGERS NEILSON, ARCHER WINSTEN, RAY BOLGER, ALBERT DELACORTE, JACK LEWIS and IRVING SHIFFRIN formed a table at the Circus Saints and Sinners luncheon at the Hotel Astor yesterday. WILLIAM SHIRER was "Fall Guy."

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THOMAS HARGRAVE, Eastman Kodak president and a farm owner, has been named honorary chairman of the 1942 Western New York Apple Blossom Festival and Patriotic Pageant.

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VIVIAN MOSES of RKO was discharged from the Roosevelt Hospital yesterday after an operation.

•

NORMAN ELSON has left for Atlanta. He is due back on Monday.

•

GRACE QUAMBUSCH, secretary to WILLIAM BISHOP, M-G-M exploitation representative in Chicago, has been married to WALTER IRVING.

Phila. RKO Exchange Is Officially Opened

PHILADELPHIA, Oct. 29.—Acting Mayor Bernard Samuels officially opened the new RKO exchange building today and more than 300 exhibitors visited the new quarters. Nat Levy, district manager, and Charles Zagrans, branch manager, were hosts. A buffet luncheon was served.

Ned E. Depinet, RKO distribution chief, headed a group from the home office, including S. Barret McCormick, Robert Mochrie, Harry Michalson, William Savage, William J. McShea, M. G. Poller, Harry Gittleson and A. A. Schubart.

Pallos Leaves on U.A. Exchange Trip

Steven Pallos, Alexander Korda's Eastern representative, left yesterday for a tour of United Artists exchanges. The first leg of the tour will include Cleveland, Chicago and Detroit.

Pallos will return to New York next week, and after a brief stay will visit other U. A. branches.

BROADWAY PLAYS

"BRILLIANT! . . . MIRACULOUS!"
—Danton Walker, News
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Mail Orders Promptly Filled

"A GREAT SHOW"—Herald Tribune
50c, $1 & $1.50 PLUS TAX
NO HIGHER
2ND YEAR—2ND EDITION of the
Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Monday. Mats. Sat., Sun. & Tues.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Review

"Blues in the Night"

(Warners)

A CURIOUS mixture of tune and tragedy has been woven in this picture, which recounts the adventures of a group of young instrumentalists imbued with a desire to interpret the voice of America as found in the "blues" jazz music. That desire and attempt to "get somewhere" leads them through a series of adventures which add up to satisfactory entertainment. The jazz renditions should appeal to the younger generation especially.

The weakness in the film is its inconclusive ending, which finds the group back in a freight train box-car, presumably happy with one other, but without purpose. In featured roles are Priscilla Lane and Richard Whorf, she as the wife of one of them, and he as the leader. Whorf, a newcomer, offers a performance indicating considerable ability. In good support are Betty Field, Lloyd Nolan, as the gangster and his girl, with whom the band become seriously entangled; Jack Carson, Elias Kazan, Peter Whitney and Billy Halop, members of the band, and Wally Ford, in a fine bit as the cringing hanger-on at Nolan's cafe.

Pace, speed and action have been imparted in the direction of Anatole Litvak, while Henry Blanke was associate producer. An outstanding technical bit is provided in the picturization of the disturbed mental state of Whorf while delirious during a severe illness.

Running time, 88 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

Charlotte Club Will Hold Banquet Nov. 8

CHARLOTTE, N. C., Oct. 29.—Senator Albert Chandler of Kentucky, Governor Len G. Broughton of North Carolina and General Hugh A. Drum of the First Army, now engaged in Southern maneuvers, are scheduled to attend the annual charity banquet of the Charlotte Variety Club Nov. 8, at the Hotel Charlotte.

Robert J. O'Donnell, first assistant national chief barker, and Paul Short, chief barker of the Dallas club, also will attend. Pat O'Brien is scheduled to appear at the after-dinner entertainment, and General William McGraw of Dallas will make the chief dinner speech. Barney Rappe and his orchestra will head the floor show.

Ontario Lifts Ban On Russian Films

TORONTO, Oct. 29.—The ban on Russian films has been lifted by the Ontario censor board after a three-year prohibition, with the approval of the film, "Volga Volga," Soviet musical comedy feature, with minor deletions.

The film has Russian dialogue with English subtitles and is scheduled to open at the Hollywood Theatre here on Monday. The house is a unit of the Allen Circuit, affiliated with Famous Players Canadian Corp. The film is distributed here by John Cohen, who has the Canadian rights.

Rodgers to Address ITOA Meeting Today

William F. Rodgers, vice-president of Loew's in charge of distribution, will be the principal speaker at a luncheon meeting of the Independent Theatre Owners Ass'n at the Hotel Astor today.

Joins RKO Exchange

INDIANAPOLIS, Oct. 29.—Paul Leatherby, formerly of Des Moines, is the new booker for RKO here. He succeeds Donald Cox, who was honored at a farewell party by fellow employes in the Variety Club.

Board of Review to Meet Here Nov. 13-15

The National Board of Review of Motion Pictures will hold its 18th annual conference Nov. 13-15 at the Hotel Pennsylvania, with "Movies in a Democracy" as the theme of the meeting. James Shelley Hamilton, executive director, will preside.

A special session will be held at the Museum of Modern Art Film Library, with Lt. Col. M. E. Gillette of the Signal Corps as the speaker, in a discussion of Army training films. Approximately 300 delegates are expected. The annual luncheon will be held Saturday, Nov. 15.

Exchange Union to Talk Chicago Pact

CHICAGO, Oct. 29.—Authority has been given by the IATSE to the Chicago Film Exchange Employees' Union, Local B45, to negotiate its own contract.

Local exchange managers have been notified that their two-year contract with the union expires on Nov. 30, opening the way to negotiations for a renewal or the signing of a new pact. Annual election of the union will take place at the Steuben Club on Nov. 6.

Col. Office Employes To Vote on CIO Tieup

A consent election by Columbia Pictures' office employes on whether the Screen Office & Professional Employes Guild, CIO, shall act as bargaining agency is expected to be held within a week, Guild officials said yesterday after meeting with representatives of the company. Theodore Rosen is president of the Columbia chapter of the SOPEG.

Club Plans Milk Fund

INDIANAPOLIS, Oct. 29.—The local Variety Club will meet Monday night to discuss the possibility of supplying milk to underprivileged children in Indianapolis schools. The Board of School Commissioners is conducting a survey to determine the extent of the need.

Para. Plans $100,0 'Purchase' Campai

Paramount Pictures, under dire of Robert M. Gillham, director of vertising and publicity, intends spend an estimated $100,000 on ex tation and advertising of "Louis Purchase," in trade papers, nati magazines and newspapers, it learned yesterday. This campaig is said, will be one of the mos tensive undertaken by the comp Buchanan & Co. is the adverti agency for Paramount.

There will be full-page, four-c advertisements in some of the per icals and two-column color advert ments in others, emphasizing Technicolor aspects of the picture. dionally it is Gillham's intention utilize the radio. Much of the r advertising, it is reported, will ce around Bob Hope's sponsored p gram. The cast of the film incl Victor Moore and Vera Zor among others.

Jersey Allied Unit To Meet in Camd

The South Jersey unit of New J sey Allied will hold a "round t conference" next Tuesday at the W Whitman Hotel, Camden, at wh members will decide whether to h such meetings weekly, it was nounced yesterday.

The New Jersey allied state org ization recently started such meetin the second having been held on M day. At that session representati of supply dealers advised the memb ship that the Theatre Equipm Dealers Protective Association is gotiating with the Supply Priorit and Allocation Board on the matter obtaining theatre equipment.

New Jersey Allied has a social together on schedule for Nov. 13 the Ritz restaurant, Passaic.

Buck for Cohan at Catholic Guild Fe

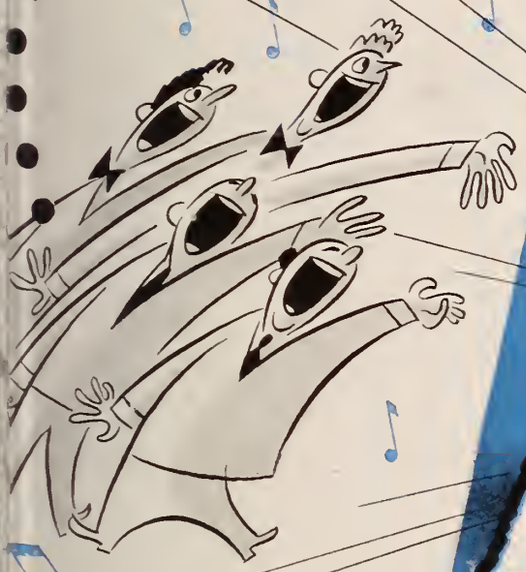
Gene Buck, president of Ascap, a vice-president of the Catholic Act Guild, will take the place of Geor M. Cohan, president, who is ill, welcoming guests to the guild's annu dance Sunday night at the Hotel A tor Roof.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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"...THERE ARE 'BLUES' THAT MAKE YOU HAPPY!"



"blues in the night"

The big story about the boys who swing the blues . . . and the gals who live 'em!

arring
RISCILLA LANE
ETTY FIELD
RICHARD WHORF
Terrific find!
with
LLOYD NOLAN
JACK CARSON
Directed by
ANATOLE LITVAK
Screen Play by Robert Rossen
From a Play by Edwin Gilbert
A Warner Bros.-First Nat'l Picture



5 NEW SONGS
played by
2 GREAT BANDS
JIMMY LUNCEFORD'S
and WILL OSBORNE'S

Climb on the bandwagon with WARNERS!

HOW GREAT A

"Magnificent production rich in box office potentialities which will be included in the album of outstanding films of all time...'How Green Was My Valley' glows with greatness!" —*The Film Daily*

"'How Green Was My Valley' is a film conceived and executed with dignity, honesty, thoroughness and superlative competence." —*Cecelia Ager, PM*

"'HOW GREEN WAS MY VALLEY'

"THIS IS ONE OF THE BIG IMPORTANT PICTURES OF THE YEAR AS WELL AS ONE OF THE MOST DEEPLY ENJOYABLE."

—*Archer Winsten, New York Post*

"Richard Llewellyn's moving and eloquent novel, 'How Green Was My Valley,' has been translated to the screen with consummate artistry! It is a distinguished and enormously absorbing narrative. Once again, the director of 'The Informer' and other notable productions has enriched the screen." —*Rose Pelswick, N.Y. Journal-American*

"'HOW GREEN WAS MY VALLEY' IS SUPERIOR MOTION PICTURE ENTERTAINMENT!"

—*Phil Koury, Kansas City Star*

"Under John Ford's intuitive direction, 20th Century-Fox has brought Richard Llewellyn's fine, dramatic novel, 'How Green Was My Valley,' to the screen in one of the outstanding film productions of the year. An extraordinarily interesting picture, one that warms the cockles of the heart ...it is 20th Century-Fox's finest production of the year and one of the director's best." —*Kate Cameron, N.Y. Daily News*

"'How Green Was My Valley' is one of the year's better films, a surefire critic's picture and, unlike most features that draw kudos from crix, this one will also do business. It's a film that holds much to remember and it is this reminiscent quality that should create a very valuable word-of-mouth. Walter Pidgeon is excellent; Maureen O'Hara splendid; Donald Crisp and Sara Allgood inspired; Anna Lee equally expert; and above all, there is a potential new boy star in Roddy McDowall. An ultra-production." —*Variety*

Now Thrilling New York's Millions at the RIVOLI

"'HOW GREEN WAS MY VALLEY' IS A SPLENDID ACHIEVEMENT!" —*Kaspar Monahan, Pittsburgh Press*

'HOW GREEN V

RE THE RAVES!

RFECT PRODUCTION!"
—Lee Mortimer, N. Y. Daily Mirror

"'How Green Was My Valley' is a stunning masterpiece. You can never expect to see a film more handsomely played. Darryl Zanuck, John Ford and their associates at 20th Century-Fox have fashioned a motion picture which may truly be regarded as an outstanding film of the year!"
—Bosley Crowther, The New York Times

"'HOW GREEN WAS MY VALLEY' IS A GREAT PICTURE!"
—Keith Wilson, Omaha World-Herald

"You will be denying yourself a thrilling experience if you miss 'How Green Was My Valley'!"
—Buck Herzog, Milwaukee Sentinel

"I know all the fans of this country are going to be thrilled!"
—Lucia Perrigo, Chicago Herald-American

"A REAL THRILL! A FINE FILM!"
—Mitch Woodbury, Toledo Blade

"JOHN FORD'S MASTERPIECE. WITH SUCH A STIRRING FILM IN TOWN THE THING TO DO IS DROP EVERYTHING AND RUSH TO SEE IT, BECAUSE YOU WON'T SEE ANOTHER ONE LIKE IT FOR A LONG TIME!"
—William Boehnel, N. Y. World-Telegram

"A WONDERFUL PICTURE!"
—Anne McIlhenney, Buffalo Courier-Express

"EXCELLENT! FINE! GREAT!"—Bruce Palmer, Daily Oklahoman

"Scenes as fine and moving as anything the screen has produced. Certainly, 'How Green Was My Valley' is one of the few films of which it can be said you will be denying yourself a rich experience by missing it."
—Howard Barnes, N. Y. Herald Tribune

"'HOW GREEN WAS MY VALLEY' IS ONE OF HOLLYWOOD'S TRULY GREAT ACHIEVEMENTS! ANOTHER MILESTONE IN MOVIE-MAKING!"
—Joyce Dana, Boston Sunday Advertiser

"'How Green Was My Valley' was a book for everyone to read. Its screen translation is a beautiful and genuinely emotional film."
—Eileen Creelman, N. Y. Sun

20th CENTURY FOX

AS MY VALLEY'

WALT DISNEY'S

FULL-LENGTH FEATURE PRODUCTION IN TECHNICOLOR

DUMBO



Th

KATE CAMERON,
N.Y. Daily News:
"Enchanting . . . 'DUMBO' is
Walt Disney's most endearing
character creation . . . Every
minute of the picture is shee
delight."

LEE MORTIMER,
N.Y. Daily Mirror:
"Walt has come through wi
probably the greatest piece
juvenilia ever made . . . adu
will get a bang from it, t
. . . In many respects, 'DUM
is Disney's best."

ROSE PELSWICK,
N.Y. Journal-American:
"A DELIGHTFUL TREAT .
here once more is the blen
imagination, color, music
technical excellence that
has come to expect from
Disney lot."

LINES WAY AROUND

Biggest Hit!

ritics Gave the Tip!

LLIAM BOEHNEL,
Y. World Telegram:
DUMBO' has more dynamic illiance than most of its predessors. It fairly bursts with n, its color is lovely . . . you'll ve every minute of it . . . I houldn't be the least bit surprised if 'DUMBO' becomes Dopey's successor. And that's something!"

BOSLEY CROWTHER,
N.Y. Times:
"The most genial, the most endearing, the most completely precious feature film ever to emerge from the magical brushes of Walt Disney's wonder-working artists . . . A film you will never forget."

HOWARD BARNES,
N. Y. Herald-Tribune:
"Walt Disney has gone back to the magical language of 'SNOW WHITE' in 'DUMBO' . . . The result is a show which is so completely captivating that you will be making the mistake of your filmgoing life if you miss it."

ARCHER WINSTEN,
N. Y. Post:
"'DUMBO' is Disney technique brought to its ultimate perfection."

LEO MISHKIN,
N. Y. Morning Telegraph:
"You'll go crazy over it . . . It's Disney at his best . . . Call it wonderful. Call it delightful, enchanting, a dream and a joy. These are the words to be applied to 'DUMBO'."

EILEEN CREELMAN,
N. Y. Sun:
"All the Disney delights are present in 'DUMBO'. Most of it is sheer fun . . . there is also pathos . . . it has more real poignancy than most serious pictures . . . 'DUMBO' should soon be established as part of the Broadway scene."

CECELIA AGER, PM:
"A treat that's coming to you, whoever you are . . . 'DUMBO' is the nicest, kindest Disney yet. It has the most heart, taste, beauty, compassion, skill, restraint . . . 'DUMBO' is the most enchanting and endearing of the Disney output."



E CORNER EVERY DAY!

Distributed by
RKO RADIO Pictures, Inc

Blumenstock New National W.B. Ad Chief

(Continued from page 1)

duties in the company's advertising and merchandising operations, will be announced by Charles Einfeld, director of advertising and publicity, at the home office meeting here tomorrow of Warner branch managers and sales executives with Benjamin Kalmenson, new general sales manager.

Joseph Bernhard, vice-president and general manager, meanwhile, has called a meeting of Warner theatre zone managers, which will be held here today.

Sales Changes Expected

At the sales meeting, Kalmenson is scheduled to announce a number of realignments. Among those who are expected to be given wider and more important duties, it is reported, are the following managers: F. M. Jack, Dallas; Rud Lohrenz, Chicago; Henry Herbel, Los Angeles; Robert Smeltzer, Washington, and R. L. McCoy, Atlanta.

Blumenstock's new post will include control of advertising budgets and full charge of the national field exploitation force. The appointment, the company said, relates to broader plans for special picture campaigns, closer cooperation with exhibitors on picture merchandising, and increased advertising expenditures.

Will Name Publicity Head

Blumenstock's elevation will necessitate appointment of a national publicity manager, who will be named within the next week, it was stated. Mitchell Rawson, Eastern publicity manager, will continue in his present capacity, the company announcement said.

Blumenstock joined First National Pictures in 1926 as a writer. Subsequently he directed several pictures for Paramount and other companies, and in 1932 joined the Warner-First National advertising department. He has held the post of Eastern advertising and publicity head since 1937.

Illinois, Va. Cases Filed on Clearance

(Continued from page 1)

Roland Corp., operator of the Bayne Theatre, Virginia Beach, Va., against Warners.

The complaint seeks the elimination of 21 days clearance over the Bayne granted the Newport Theatre, Norfolk, by the distributor. Asserting that the Bayne is a first-run house, the complaint describes the clearance as unreasonable and burdensome.

The clearance complaint of the Linden Theatre, Baltimore, has been set for hearing Nov. 5 at the local board, with Milton King as arbitrator. Warners, RKO, Paramount and Metco Theatres, Inc., of Baltimore, are named in the complaint.

Standard Reopens House

KENOSHA, WIS., Oct. 29.—Standard Theatres Co. has reopened the Chief Theatre here after being dark for a number of weeks.

Fitzgibbons Describes War Role of Canadian Theatres

(Continued from page 1)

prices in Canada may be regulated under the Dominion's new price control law. Referring to the existing 20 per cent admission tax in Canada, he said that while no theatre operator believes or has requested that his business should be exempt from such a tax, most feel that it is higher than necessary and hope for some relief.

The FPC president related that the theatre industry, employing its own showmanship methods, did a national sales job for the Government on War Savings Stamps. Slogans and national advertising were used, theatre marquees were sold to merchants for advertising use for as much as $1,500 per day in war savings stamps; theatres throughout Canada donated an evening's receipts to the purchase of stamps by patrons; employes used the night's wages for stamp purchases, and allied industries contributed materials and services in carrying out the national sales campaign through the theatres.

Famous Players Canadian is collecting reading material at its theatres for distribution to service men, he said, and numerous other war activities are being engaged in to justify the industry's existence in a war economy.

"Don't wait until you're asked to help," he advised his American audience.

The industry's advertising men here can convey to the public in all the copy they prepare the American industry's role in the national defense program, Fitzgibbons suggested.

Greetings were wired the FPC head by the Mayor of Toronto, by Prime Minister Mitchell Hepburn and by John Grierson, head of the Canadian Film Board.

Among those in the audience were: Barney Balaban, Adolph Zukor, Austin Keough, Leonard Goldenson, T. J. Connors, Haskell Masters, Max Cohen, Leon Netter, Sam Dembow, Claude Lee, Hal Young, George Dembow, Bert Sanford, Arthur Israel, Lou Pollock, Mort Blumenstock, Robert Weitman, George Weltner, Stanton Griffis, Jack Pegler, John Nair. R. J. O'Donnell and Carl Bamford.

Senate Film Inquiry Is Again Postponed

(Continued from page 1)

close of the neutrality debate now going on in the Senate.

He reached his decision after conferring with Senator Charles W. Tobey of New Hampshire, who returned yesterday after a long absence from Washington, and after talks with other members of the committee.

Fight Back, Willkie Urges Film Industry

"No industry which has been investigated by a Congressional committee in the last 10 years has come through it with the same quality of spirit as the motion picture industry," Wendell L. Willkie told the Picture Pioneers at the organization's Hallowe'en dinner at Toots Shor's restaurant last night. Willkie is counsel to the industry in the Senate sub-committee investigation.

"The motion picture industry has gained stature as a result of the inquiry," Willkie said. "This should demonstrate to it the lesson not to take maligning lying down but to adopt a more aggressive attitude and fight back."

James J. Walker, former Mayor, initiated 20 new members. Jack Cohn was chairman. About 160 members attended.

Sauter Gets Civilian Defense Press Post

Col. Franklin D'Olier, regional director of the second defense region of the Office of Civilian Defense, has named James E. Sauter, public relations counsel, as regional information officer, serving as a volunteer. He will be in charge of press relations, radio and newsreel activities for the area, effective immediately.

Sales Heads, Allied Meet on Unity Plan

(Continued from page 1)

hibition, would work jointly on matters of industry-wide importance.

Although no statement was made following yesterday's meeting, it is understood that Rodgers expressed the view that the Allied committee should first contact other estabilshed exhibitor organizations, so as to obtain a nationally representative character for the unity movement before requesting the distributors or producers to form committees.

In the meantime, Kirsch and Samuelson will meet with other sales executives to acquaint them with the aims of the committee and seek their cooperation in advancing its objectives. The idea of the all-industry committee already has been approved by Abe Montague, Columbia; Arthur W. Kelly, United Artists; W. A. Scully, Universal, and by Rodgers and Paramount.

Camp Shows Circuit Starts in Caribbean

(Continued from page 1)

monies; Oliver Hardy and Stan Laurel, Chico Marx, Mitzi Mayfair. Jane Pickens and Benay Venuta.

Active operation of the camp shows will be handled by Camp Shows, Inc., which filed incorporation papers in New York today, with Eddie Dowling as president. The directorate will include Bert Lytell, president of Actors Equity Association, and Y. Frank Freeman, president of the Association of Motion Picture Producers.

A talent pool composed of leading film players is being established in Hollywood and a pool of legitimate stage and variety talent is being formed in New York, to be drawn upon for a steady flow of shows to be sent out at the rate of one every two weeks on a grand circuit of 186 Army and Navy camps.

Bioff Tells o Being Assigne Messenger Rol

(Continued from page 1)

months and consisted of only "three four" meetings.

Bioff said he spent about a hour on the first occasion and t hours on subsequent meetings. H said he was not certain whether the were three or four meetings befo the matter was first discussed. Du ing these preliminary meetings, Bic said, many matters were discusse including the affairs of New Yo theatre projectionists.

Weakness for Flying

Asked by Correa whether he ha accepted the job of "messenger" sin ply because he liked flying to and fro the coast, Bioff responded in the a firmative. Bioff was unable to sta which legislatures were allegedly i tended to be bribed, although he ha testified on direct examination th legislative bribery was the purpose the shipments of money and was ab to name only one law, a tax on fil footage.

Responding to questions by Judg Knox, Bioff said he saw no inconsis tency between acting as labor repre sentative on the one hand and a "me senger" for the producers on the othe He likened his position to that of th attorneys in the case who were frien ly outside the courtroom but "have job to do" inside. Pressed by Judg Knox to explain why he did not wis the union members to know of th arrangement if he thought it all righ Bioff said, "People like to think th wrong way."

Again Admits Perjury

Bioff again admitted, as he did o Tuesday, that he had perjured him self under oath, and several other in stances were shown. He also state that he had been known under severa different names, although he had give previous testimony that he was know only as William Bioff.

The defendant contended that h was named Morris William Bioff a birth but had dropped the name Mor ris when he was 13 and that his nam now is William M. Bioff. Correa at tempted to show that the defendant' true name was William but that h had adopted the name Morris, the name of a half-brother, in 1938 i order to obtain a passport but Biof denied this.

Firms Leave Eighth Of Fund in England

(Continued from page 1)

additional authorized for withdraw out of earnings during the ensuing 1 months will be apportioned among the companies on a percentage of their British billings for last year, as heretofore.

Under the new agreement, the companies will withdraw a total of $12,000,000 from Britain immediately. Of this sum, $7,000,000 will be from blocked funds and $5,000,000 represents the first quarterly payment on future earnings.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

50. NO. 87 NEW YORK, U. S. A., FRIDAY, OCTOBER 31, 1941 TEN CENTS

ramount to ll Away from tional Units

ew Declares Skouras erms 'Inadequate'

amount will sell away from West Coast, Fox Midwest, ntermountain, Fox Wisconsin and Evergreen State Theatres, all circuits affiliated with National Theatres, it was announced yesterday by Neil F. Agnew, general sales manager of Paramount.



eil F. Agnew

Agnew declared that the decision was made as a re- of "what Paramount considers quate terms and playing time of-

(Continued on page 9)

dgers Explains Policy to I.T.O.A.

strict and branch managers of -M have virtually unlimited au- ty to deal with individual ex- or problems as they arise, and to erms that are equitable in each tion, William F. Rodgers, gener- les manager, emphasized yester-

(Continued on page 9)

ara. Decree Plea To Be Heard Today

Paramount's application for n exemption from the sales rovisions of the consent de- ree to permit it to operate n Minnesota under the state nti-block-of-five law will be eard by Federal Judge Henry V. Goddard in U. S. District ourt here today

Indications are that other ompanies will not oppose the pplication, although there ave been reports to that ef- ect. It is reported that the ther consenting companies will not file such actions, pre- erring to await the outcome f the Minnesota test cases.

$200,000 Paid U.S. Agent, Bioff Tells Court at His Trial

Declaration by William Bioff, during his testimony at his trial with George E. Browne on extortion charges, that Joseph M. Schenck had told him that he needed $200,000 in currency to give to Murray Garrson, an investigator at that time for a Congressional committee, and efforts by U. S. Attorney Mathias F. Correa to link the start of Bioff's collections to the murder of Tom Maloy, former head of the Chicago projectionists' union, Local 110, IATSE, were highlights of Bioff's cross-examination yesterday.

As Bioff mounted the stand yesterday morning he told Judge John C. Knox that he was ready to name an investigator for a Congressional

(Continued on page 8)

Ostrer Resigns as Chairman of G.B.

LONDON, Oct. 30.—The resignation of Isidore Ostrer as chairman of Gaumont British Pictures Corp., Ltd., was formally announced today following the completion of the deal whereby J. Arthur Rank and General Film Distributors took over control of Gaumont British. The resignation substantiates earlier reports.

Rank has been appointed chairman of the Gaumont company, as also was indicated. Rank, C. M. Woolf, General Film Distributors managing di-

(Continued on page 8)

Labor Council Hits Senate Film Probe

Kokomo, Ind., Oct. 30.—The Kokomo Trades and Labor Council today sent a copy of a resolution to Sen. D. Worth Clark of Idaho, chairman of the Senate sub-committee investigating alleged film propaganda, condemning the inquiry as "an effort to muzzle freedom of speech and designed to breed religious and racial discord."

Harry Kalmine W.B. Assistant Theatre Head

Harry M. Kalmine, Warners' Pittsburgh theatre zone manager for the past nine years, yesterday was named assistant general manager of the Warner Circuit. It is reported that Robert S. Taplinger, head of Warner studio publicity since 1937, will be appointed publicity manager for the company.

Kalmine's appointment was announced yesterday by Joseph Bernhard, vice-president and general manager, at a meeting of Warner theatre zone managers and home office executives here. The appointment is effective immediately. His successor at Pittsburgh has not been announced.

Taplinger will be succeeded at the

(Continued on page 8)

$450,000 Film Arbitration Budget Seen for Next Year

The new budget for the operation of the industry's arbitration system for the year beginning Nov. 20 is expected to be set at approximately $450,000 within the next few days by the budget committee of the American Arbitration Association.

Under the new budget no reductions in the number of local arbitration boards will be made, it has been decided. The existing 31 boards will be continued despite the fact that at the end of their ninth month of operation three boards have had no complaints filed and many others have had but two or three.

However, economical operation of the boards since their opening last

(Continued on page 9)

Eight Distributors Indorse 'Unity' Plan

Eight companies have approved Allied States' plan for a joint industry conference, Sidney Samuelson and Jack Kirsch, members of Allied's committee, stated yesterday after talks with distribution heads.

They said that indorsement has been given by 20th Century-Fox, Universal, Columbia, Republic, Monogram and Producers Releasing, in addition to M-G-M and Paramount which approved the idea earlier.

Samuelson and Kirsch, who consti-

(Continued on page 9)

Junior 'Hays' Group Formed By Producers

James Allen, U.S. Official, Will Head Association

HOLLYWOOD, Oct. 30.—Samuel Goldwyn, David O. Selznick, Alexander Korda and Walter Wanger are reported to be the principal figures behind a "junior Hays Office." They are said to have completed plans for a new independent producers' organization and have even selected a leader to guide them.

The man chosen is reported to be James Allen of the Department of Justice. He is now in Washington, and according to authoritative sources has been named to head the planned association.

Korda has been in New York, it is said, paving the way with Selznick and the others toward organizing the group.

39-Week Para. Net Put at $7,450,000

Paramount yesterday estimated its earnings for the 39 weeks ended Oct. 4 at $7,450,000, after interest and all charges including provision for all Federal income taxes.

The result compares with net of $4,810,000 for the corresponding 39 weeks last year.

The company's estimated third quarter earnings were $3,071,000, compared with net of $1,726,000 for the corresponding quarter last year.

Included in the 39 weeks earnings is $1,300,000 representing the company's share of undistributed earnings of partially owned and non-consolidated subsidiaries, while included in

(Continued on page 9)

Order Current Saving At Southeast Houses

WASHINGTON, Oct. 30.—Exhibitors and other commercial users of electricity in the Southeastern States were asked by the Office of Production Management tonight immediately to discontinue sign and window lighting, as the Government moved in on a severe power shortage due in part to long continued drought.

Orders were issued by the OPM calling for a 30 per cent cut in current use by large industrial and com-

(Continued on page 9)

Personal Mention

WILLIAM J. HEINEMAN, Universal assistant general sales manager, leaves today by plane for a two-week hunting trip in Montana. He will tour exchange cities in the Northwest before returning here.

•

MATTHEW FOX is expected from the Coast next week.

•

NEIL AGNEW, LEONARD GOLDENSON, CHARLES REAGAN and SAM DEMBOW, JR., of Paramount attended the Comerford Circuit managers' meeting at Buck Hills Falls, Pa., yesterday.

•

MORRIS MECHANIC, owner of the New Theatre, Baltimore, is in town.

•

LOU JACKSON, head of Anglo-American Pictures, left for London by clipper yesterday after a six weeks' visit here.

•

NED E. DEPINET, C. E. KOERNER and S. BARRET MCCORMICK will leave for the Coast today to see the new Samuel Goldwyn production, "Ball of Fire."

•

HARRY DAVID of Paramount's Southio theatres, is visiting here.

•

NATE GOLDSTEIN of Western Massachusetts Theatres is in town.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
FRED ASTAIRE • RITA HAYWORTH
"YOU'LL NEVER GET RICH"
A Columbia Picture
ON GREAT STAGE: "UP OUR ALLEYS"—a gay, spectacular revue, produced by Leonidoff. Symphony Orchestra, direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Paramount Presents Bob Hope
Paulette Goddard
"NOTHING BUT THE TRUTH"
IN PERSON
THE ANDREWS SISTERS
JOHNNY LONG AND BAND
PARAMOUNT TIMES SQUARE

RANDOLPH SCOTT • GENE TIERNEY
"BELLE STARR"
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
Irene Dunne—Robert Montgomery
"UNFINISHED BUSINESS" &
"9 LIVES ARE NOT ENOUGH"
Ronald Reagan—Joan Perry

Continuous From 9.30 A.M.
POP. PRICES 35¢ TO 1 P.M.
Children Any Time 28¢
Walt Disney's DUMBO
BROADWAY THEATRE • 53 ST. & B'WAY
Distrib. by RKO Radio
Mezz. Seats Reserved

'High Kickers,' Jessel Show, Opens Tonight

George Jessel, Harry Ruby and Bert Kalmar open their new musical, "High Kickers," at the Broadhurst tonight. Jessel is featured in the show along with Sophie Tucker, Chic York, Rose King, Lois January, Betty Bruce, Billy Vine, Lee Sullivan and others. Songs are by Kalmar and Ruby.

Pro-Democracy Unit Asks Films' Support

The motion picture division of the Friends of Democracy sponsored a luncheon at Toots Shor's yesterday at which Dr. L. M. Birkhead of the national organization described its work in combating directly public figures who have espoused anti-Democratic or pro-Nazi teachings. He appealed for support from the motion picture industry.

Among those at the luncheon were: Joseph H. Hazen, Gradwell L. Sears, chairman of the motion picture division of Friends of Democracy; Joseph Bernhard, Ned E. Depinet, Malcolm Kingsberg, Carl Leserman, Sam Morris, Jesse L. Lasky, Cresson Smith, Charles Koerner, Leon Goldberg, Charles Einfeld, Harry Buckley, George Skouras, George Dembow, Mort Blumenstock, Mitchell Rawson, Herman Robbins, Samuel Rinzler, Pete Harrison, Martin Quigley, Jr., Chester Bahn and Maurice Kann.

'Birth of the Blues' Premieres Tonight

Premieres of Paramount's "The Birth of the Blues" will take place tonight at the Saenger Theatre, New Orleans, and the Malco, Memphis.

The Hollywood contingent scheduled to attend the New Orleans premiere, Paramount announced, includes Charles Ruggles, Patricia Morison, Dona Drake, Jean Wallace and Frances Gifford. They will participate in parades, civic dinners, receptions and radio broadcasts during their stay in the city.

At the Memphis premiere will be Jean Parker, Richard Arlen, Eva Gabor, Phillip Terry, Martha O'Driscoll, Ellen Drew, Albert Dekker and Phil Regan. They will be entertained at a Variety Club ball, a party at the residence of M. A. Lightman, head of the Malco circuit, and will appear at the premiere and a party following at the Peabody Hotel.

Office Union Seeks Loew's Designation

The Screen Office & Professional Employes Guild, Local 109, CIO, yesterday announced that it had filed a petition with the NLRB seeking designation as sole collective bargaining agency for office employes in the home office of Loew's, Inc. The union claims that it has a majority of the 500 employes within its jurisdiction.

Veteran Producer Dies

LOS ANGELES, Oct. 30.—Hamilton Smith, 54, producer, director and scenarist, died yesterday at Wildwood Sanitorium at Newhall after a long illness. He had been in the film business many years, coming to Hollywood in 1916.

B'way Enjoys Week Of Good Grosses 'Rich' Gets $91,500

Broadway generally enjoyed a substantial income this week, although business at some spots was reported to have been adversely affected by the cold weather during the week and on Monday night by President Roosevelt's radio address. The weather reports varied, however, as some theatre men found the descending temperatures encouraging to theatre-going. The week's grosses were boosted considerably by the big weekend turnover.

'Never Get Rich', $91,500

The Music Hall had a strong week with "You'll Never Get Rich" and a stage show which drew an estimated $91,500 and started its second week yesterday. The week ending tomorrow night at the Broadway, playing Disney's "Dumbo," is expected to bring an estimated $24,000.

The fifth and final week of "A Yank in the R. A. F." with a stage show at the Roxy was good for an estimated $40,000. "Belle Starr" opens at the theatre today. "Honky Tonk" completed its fourth week at the Capitol Wednesday night with an estimated $18,500 and is now in its fifth week. "Target for Tonight" grossed an estimated $9,000 in its second week at the Globe and begins a third today. "Sergeant York" with Phil Spitalny's orchestra in its second week at the Strand grossed an estimated $36,000 and the show continues.

'Soldier' at Astor

M-G-M's "The Chocolate Soldier" opens today at the Astor following the three-month run of "Dr. Jekyll and Mr. Hyde." The new picture will be presented on a continuous run basis.

"International Lady," Edward Small production which United Artists is releasing, will make its Broadway bow Tuesday at the Criterion with military officials, film and theatrical stars, and others attending, it is planned.

O'Dwyer's Campaign Reel in N. Y. Houses

More than 200 theatres in New York City are running a one-minute trailer for William O'Dwyer, Democratic candidate for Mayor, according to Charles L. Welsh who is booking the film. The reel presents O'Dwyer in a talk on tolerance. Among the theatres showing the film are houses operated by William Brandt, Nelson & Renner, Interboro, Abe Leff and others, Welsh stated.

Allen Resigns from Canada Circuit Post

TORONTO, Oct. 30.—Raymond S. Allen resigned today as general supervisor of the Allen circuit here. He declined to comment on reasons for his withdrawal or on his future plans. No successor has been named.

'Billboard' Editor Dies

CINCINNATI, Oct. 30.—Albert C. Hartmann, 49, editor of *Billboard*, died in Christ Hospital today following an operation. His widow and three daughters survive.

Newsreel Parade

WINDSORS with Pres Roosevelt in Washington, siege of Odessa, the U. S. destr Kearny in port after sea "incid the coal strike and football games among the subjects covered in weekend issues. The reels and contents follow:

MGVIETONE NEWS, No. 16.—K in port. Troops in Canada. Tornac Arkansas. Windsors in Washington. sas City girls study aviation. O under siege. Livestock show in San I cisco. Columbia-Army football. Gir Florida.

NEWS OF THE DAY, No. 214—Sie Odessa. Mrs. Churchill in England. T in Canada. LaGuardia and O'Dwyer paign in New York. Coal strike. K City co-eds learn about airplanes. W sors in Washington. Football.

PARAMOUNT NEWS, No. 19—F chutists in Rio de Janeiro. Kansas brothers inherit fortune. Massachu girl recovers after being lost eight Windsors in Washington. Coal strike ation. Kearny reaches port. John brough marries in New York. New children do Red Cross work.

RKO PATHE NEWS, No. 19—Kea in port. Coal strike issue. Odessa u siege. Windsors at the White Ho New anti-aircraft guns in Holyoke, M Gypsy Rose Lee, authoress, in New Y Floods in Rio Grande Valley. Pointer trials in New York. Pig race in San F cisco.

UNIVERSAL NEWSREEL, No. U.S.S. Kearny in port. Siege of Ode Buffalo chimp goes hunting. Windsor Washington. New York girls learn a boats. Kansas City girls learn about planes. Horse show in Hollywood. F ball: Fordham-Texas Christian; Army-umbia.

Rosenberg Appoint Col. Exploitation He

Frank Rosenberg, acting head the Columbia exploitation departm for the past month, has been perm nently appointed to that post, the co pany announced yesterday. Rosenb has been with the company for past 12 years. He succeeds Fra McGrann, who resigned recently.

Metro Screening Toda

M-G-M today at 4 P.M. at the M seum of Modern Art will hold a co tail party in connection with a previ of the short subject, "The Tell-T Heart," based on an Edgar Allan P story.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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A YANK IN THE R.A.F.
WEEKEND IN HAVANA
TECHNICOLOR
WILD GEESE CALLING
SUN VALLEY SERENADE
BELLE STARR
IN TECHNICOLOR
SMASH
after
SMASH
after
SMASH!



WHAT THESE

PICTURES HA

IS THE BEST

OF THE BOXO

EXHIBITORS N

CENTURY-FOX



EAT 20TH CENTURY-FOX

DONE AND ARE DOING

POSSIBLE EXEMPLAR

ICE AND SHOWMANSHIP

AY EXPECT FROM 20TH

DURING 1941-42!

20th CENTURY FOX



Richard Llewellyn's

"HOW GREEN WAS MY VALLEY"

Produced by DARRYL F. ZANUCK • Directed by JOHN FORD

CLAUDETTE COLBERT *in*
"REMEMBER THE DAY"

with JOHN PAYNE • Directed by HENRY KING

DON AMECHE • JOAN BENNETT
in
"CONFIRM OR DENY"

Directed by ARCHIE MAYO

BETTY VICTOR CAROLE
GRABLE • MATURE • LANDIS
in "HOT SPOT"

Directed by H. BRUCE HUMBERSTONE

TYRONE POWER *in*
"SON OF FURY"

The Story of Benjamin Blake
with Gene Tierney, George Sanders and Frances Farmer
Produced by DARRYL F. ZANUCK • Directed by JOHN CROMWELL

GINGER ROGERS
in "ROXIE HART"

with GEORGE MONTGOMERY • ADOLPHE MENJOU
Directed by WILLIAM WELLMAN

BETTY VICTOR JACK
GRABLE • MATURE • OAKIE
in "SONG OF THE ISLANDS"

IN TECHNICOLOR • Directed by WALTER LANG

Forthcoming from TWENTIETH CENTURY-FOX

And take note of the entertainment quality and extra showmanship values of these . . . !

"MOON OVER HER SHOULDER"

with Lynn BARI • John SUTTON
Dan DAILEY, Jr.

Carole Landis • George Montgomery
in
"CADET GIRL"

Jane Withers *in*
"YOUNG AMERICA"

...hort Subject ...eviews

...t the Stroke of Twelve"
...oadway Brevities)
...rners)

DAMON RUNYON yarn of gangsters and murder in this in...ce has been fashioned into a film ...xtraordinary interest whose only shortcoming is its briefness. ...tten in the true Runyon style, it is ...story of a gangster on trial for ...life, dramatically acquitted by the ...mony of a rich old lady whom he ...iended while fleeing from his en...es of the underworld. It is splen...y played by Knox Manning, Craig ...ens, Elizabeth Risdon, Howard da ...a and others. The short will ...btless contribute considerably to ...program. Running time, 20 mins. ...ease, Nov. 15, 1941.

...erils of the Jungle"
...oadway Brevities)
...arners)

...ommander Atillio Gatti and his sa... penetrate the dense Belgian Congo ...search of a rare animal called the ...api, which looks like three other ...mals. The short has nothing that ...unusual on view, except the Okapi, ...ich is finally trapped, but it is well ...ned and has an interesting commen...y by Knox Manning, which, with ... subject matter, makes for a ...rthwhile short. Running time, 20 ...ns. Release, Oct. 18, 1941.

...White Sails"
...ollywood Novelties)
...arners)

This is a good pictorial subject and ...s interest and excitement. It fol...ws the voyage of an aged sailing ...ssel from Australia to England with ...good deal of the footage given to ...severe storm during which the ship ...lashed from all sides, but with the ...eak of dawn it is clear sailing again. ...unning time, 10 mins. Release, Nov. ..., 1941.

...Rich' and Show at $18,500 in Capital

WASHINGTON, Oct. 30. — "You'll ...ever Get Rich" and vaudeville at ...arners' Earle, did $18,500 to lead in ...week of ideal weather. The second ...eek of "Honky Tonk" at Loew's ...alace brought $16,000.

Estimated receipts for the week end...ng Oct. 22-23:

"This Woman Is Mine" (Univ.)
RKO-KEITH — (1,834) (39c-55c) 7 days. ...ross: $7,500. (Average, $10,000)
"International Lady" (U. A.)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-...6c-77c) 7 days. On stage: Hal Sherman, ...osita Rios, Les Jevelys, Mimi Kellerman, ...hythm Rockets. Gross: $15,500. (Aver...ge, $15,500)
"One Foot in Heaven" (W. B.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days, return engagement. Gross: $7,500). (Average, $3,500)
"You'll Never Get Rich" (Col.)
WARNER'S EARLE—(2,200) (28c-39c-55c-...6c-77c) 7 days. On stage: Willie West & McGinty, Phyllis Colt, the Billingtons, Roxyettes. Gross: $18,500. (Average, $15,...00)
"Honky Tonk" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $12,000)
"Smilin' Through" (M-G-M)
LOEW'S COLUMBIA — (1,250) (28c-44c) 7 days, return engagement. Gross: $4,200. (Average, $3,500)

Critics' Quotes . . .

"HONKY TONK" (M-G-M)

An epic that provides plenty of amorous overtones for those who expected them but is otherwise a pretty baffling proposition.—*Newsweek.*

A good picture, not because of any story brilliance, but because its cast is smart and excellently directed and because the dialogue is durable and strong.—*Robert W. Dana, New York Herald Tribune.*

A crowd-catching midway exhibit in which Miss Turner gives a competent, if limited, performance and Mr. Gable again shows off his muscles.—*New York Times.*

The double-barrel "oomph" of Clark Gable and Lana Turner is not magnetic enough to draw "Honky Tonk" from the mediocre level of its banal writing and ordinary story.—*Wanda Hale, New York News.*

The fans are going to go for this film in a big way.—*Lee Mortimer, New York Mirror.*

An "audience picture" anyway you look at it.—*Nelson B. Bell, Washington Post.*

It is so frankly, unabashedly, unapologetically itself that "Honky Tonk" earns your admiration, makes you forget that it is another lusty, lavish Western.—*Jay Carmody, Washington Star.*

We couldn't defend "Honky Tonk" on artistic grounds, but it shapes up as a rousing entertainment.—*Henry T. Murdock, Philadelphia Ledger.*

"YOU'LL NEVER GET RICH" (Columbia)

It is bound to have a tonic effect on box-office returns as well as soldier and civilian morale; and it is one of the big films of 1941.—*Donald Kirkley, Baltimore Sun.*

A completely gay and spontaneous entertainment. It is not so heavily underlined with farce situations as were the recent Abbott and Costello and Bob Hope ventures in the same direction, but it is higher in chuckle content.—*Henry T. Murdock, Philadelphia Ledger.*

It is a new Cole Porter musical Columbia utilized to demonstrate the intactness of the Astaire agility and suave charm and it comes off as handsome entertainment, marred by some rutty spots in the story and overlength.—*Jay Carmody, Washington Star.*

A musical, and by gosh, it's one of the best we've seen in a long time. . . . It moves briskly, is filled with amusing situations. and has the distinction of a fresh, original approach to the overworked story of Army draftees.—*Bernie Harrison, Washington Times-Herald.*

"HOLD BACK THE DAWN" (Paramount)

A tender and moving romance, full of understandable heartaches and laughter, done with extreme delicacy and sympathetic understanding . . . a glowing entertainment.—*William Boehnel, New York World-Telegram.*

An absorbing story, perfectly cast players, slick dialogue and expert handling make "Hold Back the Dawn" outstanding entertainment.—*Rose Pelswick, New York Journal-American.*

An amazingly poignant picture, rich in humor, heart and subtle ironies.—*Bosley Crowther, New York Times.*

No landmark in picture making but it handles a conventional theme so strikingly that it becomes a stunning show.—*Howard Barnes, New York Herald Tribune.*

When at the fade-out the audience vociferously applauded, there could be no other verdict but "Hit." . . . This is sure-fire box-office for both sexes.—*Lee Mortimer, New York Mirror.*

"IT STARTED WITH EVE" (Universal)

A captivating comedy . . . a triumph for Durbin and Laughton, artfully contrived by a smart producer and a knowing director.—*Howard Barnes, New York Herald Tribune.*

Has what it takes to make a fresh and pleasing film . . . it skips to a cheery tune and should please—as they say—both young and old. It's the perfect "8-to-80" picture.—*Bosley Crowther, New York Times.*

May not be one of Deanna Durbin's best pictures but it has enough of that same charming quality to make this one a winner at the box-office.—*Kate Cameron, New York News.*

A rib-tickler that will have customers rolling in the aisles, the cinema is also splendidly sensitive and as light and gay and bubbling as pre-war pink champagne.—*Lee Mortimer, New York Mirror.*

"A YANK IN THE R. A. F." (20th Century-Fox)

From the isolationist point of view, this . . . is super-charged with propaganda. . . . The public at large, however, will accept it as a showmanlike and timely variation on the aviation epic.—*Newsweek.*

Aimed right at the box-office. Women will like it just as well as the men do. The picture ought to be a smash hit for 20th Century-Fox.—*Harrison Carroll, Los Angeles Herald-Express.*

It ought to have varied enough interest apart from the usual warfare views to please, and that's in spite of a very much regulation plot.—*Edwin Schallert, Los Angeles Times.*

Few motion pictures based on the war have so much to offer.—*Louella O. Parsons, Los Angeles Examiner.*

"LADIES IN RETIREMENT" (Columbia)

A good cinemadaptation of a recent Broadway success of the same name . . . long on dialogue and plot, short on action.—*Time.*

Moviegoers who liked "Night Must Fall" will appreciate the expert collaboration that makes this psychological horror story an unusual and engrossing film.—*Newsweek.*

'York' Frisco Leader with $19,500 Gross

SAN FRANCISCO, Oct. 30. — "Sergeant York" was far ahead with $19,-500 in the first week at the Warfield, with "The Little Foxes" getting $16,-000 in the second week at the Golden Gate. The weather was cool.

Estimated receipts for the week ending Oct. 21-23:

"The Little Foxes" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days, 2nd week. Stage: Vaudeville. Gross: $16,000. (Average, $15,000)
"Niagara Falls" (U.A.)
"International Lady" (U.A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days. Gross: $8,200. (Average, $8,000)
"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $7,500. (Average, $8,000)
"Smilin' Through" (M-G-M)
"World Premiere" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $11,500)
"Weekend in Havana" (20th-Fox)
"Riders of the Purple Sage" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $15,500. (Average, $16,000)
"Honky Tonk" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 4th week (Moved over from Warfield). Gross: $5,000. (Average, $4,500)
"The Stars Look Down" (M-G-M)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $1,100. (Average, $1,000)
"Sergeant York" (W.B.)
WARFIELD—(2,680) (25c-50c-65c) 7 days. Gross: $19,500. (Average, $12,000)

Minneapolis Gives 'Kane' $6,500 Tally

MINNEAPOLIS, Oct. 30. — "Citizen Kane" took $6,500 at the Century. "Honky Tonk," in its second week, attracted $9,000 at the State.

Estimated receipts for the week ending Oct. 24-25:

"Honky Tonk" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days, 2nd week. Gross: $9,000. (Average, $6,000)
"Citizen Kane" (RKO)
CENTURY—(1,600) (28c-39c-44c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)
"Devil Dogs of the Air" (W. B.)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,700. (Average, $1,600)
"The Feminine Touch" (M-G-M)
ORPHEUM—(2,800) (39c-44c-55c) 7 days. Gross: $6,500. (Average, $5,500)
"This Woman Is Mine" (Univ.)
GOPHER — (998) (28c) 7 days. Gross: $2,300. (Average, $2,500)
"Blonde from Singapore" (Col.) 3 days
"Scattergood Meets Broadway" (RKO) 3 days
"Mob Town" (Univ.) 4 days
"Tillie the Toiler" (Col.) 4 days
ASTER—(900) (17c-28c) 7 days. Gross: $1,800. (Average, $1,800)

'Rich' Is Montreal Winner at $5,000

MONTREAL, Oct. 30.—"You'll Never Get Rich" at the Capitol drew $5,000. "Belle Starr" and "Dressed to Kill" scored $3,000 at the Princess.

Estimated receipts for the week ending Oct. 23:

"Lydia" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days. 2nd week. Gross: $3,900. (Average, $4,000)
"The Little Foxes" (RKO)
LOEW'S—(2,900) (35c-47c-67c) 7 days. Gross: $6,800. (Average, $7,000)
"Belle Starr" (20th-Fox)
"Dressed to Kill" (20th-Fox)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $3,000. (Average, $2,500)
"Hold Back the Dawn" (Para.)
PALACE—(2,200) (30c-45c-62c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"You'll Never Get Rich" (Col.)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $5,000. (Average, $4,000)

Harry Kalmine W.B. Assistant Theatre Head

(Continued from page 1)

studio by Alex Evelove, his assistant for the past year, it is stated. The Taplinger appointment is in line with the company's realignment of its promotion organization and follows the advancement of Mort Blumenstock to the post of national manager of advertising and coordinator of all sales promotion, merchandising and exploitation.

Supervision by Einfeld

The national promotional activities of the company will continue unde the supervision of S. Charles Einfeld, national director of advertising and publicity.

Taplinger recently signed a new three-year contract with Warners. He is due from the Coast tomorrow and will attend the home office meeting of Warner sales officials and branch managers, which starts today.

Jack L. Warner, vice-president in charge of production, left the Coast for New York yesterday and is scheduled to attend the sales meeting.

Kalmine has been in theatrical business since 1915, and was successively music boy, stage hand, treasurer, manager and roadshow manager. At the close of the last war he operated his own theatre and later was placed in charge of 16 New Jersey theatres by Louis Rosenthal. He was district manager for Fabian, then joined Warners and served in managerial capacities and as head booker for the circuit here. He was appointed zone manager for Warners in New Jersey and then at Pittsburgh.

Those at Meeting

Those attending the theatre meeting included James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schlanger, Philadelphia; John Payette, Washington, and home office executives including Clayton Bond, Stewart McDonald, Sam Morris, Harry Goldberg, Leonard Schlesinger, Abel Vigard, Harry Rosenquest and Frank Phelps.

Para. Stockholders Sue on Bioff Fund

A stockholders' suit against Paramount Pictures, Inc., its officers and directors was filed in the U. S. District Court yesterday by Lillian S. Raber and G. Arthur Peck, seeking an accounting of $100,000 allegedly paid by Paramount to William Bioff and George E. Browne.

The complaint claims that the payments were wrongfully concealed from stockholders by the use of "surreptitious padded vouchers," and that the acts of Paramount's officers were illegal and invalid. Two suits have been previously filed as a result of the Bioff-Browne case against 20th Century-Fox Film Corp. and one against Loew's.

Ross Leaves on Tour

Harry A. Ross, president of Ross Federal Service, Inc., has left for a tour of South and Central America. Clifford B. Ross, vice-president, is accompanying him.

$200,000 Paid to Federal Agent, Bioff Tells Court

(Continued from page 1)

committee who had received $200,000 from Schenck but Correa refused to ask who the investigator was "from a man of Bioff's credibility who has thought this up over night." When questioned about the incident by his own lawyer, Michael Luddy, Bioff said that Schenck had told him that he needed $200,000 in currency to give to Garrson, at that time working for the Sabath Committee investigating the film industry and receiverships.

Correa brought out that Maloy had died shortly before Bioff began his admitted collections from Chicago theatre operators.

And Sudden Death

"Maloy died in February, 1935?" Correa asked.

"Yes, sir," replied Bioff.

"Suddenly?" pursued the U. S. Attorney.

"Very suddenly," was the answer.

"And you started collecting from the Chicago theatre owners a few months after Mr. Maloy's death?" Correa continued. After several objections and further questions, Bioff admitted that this was so. Bioff denied that he knew of any collections from theatre owners by Maloy.

Charles T. Russell, income tax consultant and former Deputy Commissioner of Internal Revenue, called as a defense witness, testified that Schenck had suggested in 1938 that the late Sen. William Gibbs McAdoo be asked to intercede for Bioff in Washington.

Russell produced a cablegram received from Schenck on July 31, 1939, while the latter was in Europe. The cablegram read:

"B. is to testify Sacramento. He intends withholding information. I suppose at request of Mac. If he does at least he should get promise from Mac to intercede Washington to stop persecution."

'B' for Bioff

Russell identified "B" as Bioff and "Mac" as Senator McAdoo. The Sacramento testimony referred to a grand jury investigation and the Washington intercession requested was with the income tax authorities, Russell said. He added, however, that he did not see Senator McAdoo and the latter made no intercession.

At one point in the cross-examination, as Correa attempted to show another in a series of perjuries, Judge Knox sustained a defense objection.

"There have been a number of contradictory statements made," said the court.

"I undertsand, your honor," Henry A. Uterhart, one of Bioff's lawyers, rose to say, "that you are referring to witnesses for both the prosecution and defense."

"I am referring to the contradictory statements by the witness here," returned Judge Knox, indicating Bioff.

Correa ended the cross examination by challenging Bioff: "Can you name any single proceeding within the past 10 years in which you have testified, where you told the truth, the whole truth and nothing but the truth?" Strenuous objections by the defense counsel were sustained by the court and Bioff did not answer.

On redirect examination, Luddy questioned Bioff to show that his real name was Morris William Bioff and that he had not assumed that name for purposes of obtaining a passport as intimated by Correa. Luddy stated that Bioff's brothers and sister were in New York and that they would take the stand as witnesses for him.

Tells of That $100,000

Ruth Nolander, Schenck's former secretary, another defense witness, testified yesterday that Schenck had counted out $100,000 in currency in the presence of herself and Bioff in June, 1937, and that the money was placed in Schenck's personal box in Schenck's office. Correa, on cross-examination, brought out that Miss Nolander did not know whether this money had been given by Bioff to Schenck. Bioff had previously testified that he had returned the $100,000 lent to him by Schenck about this time.

Russell testified that he had first heard of Bioff in April, 1938, when Schenck told him that he had a "friend, William Bioff," who had income tax difficulties and suggested that Russell get in touch with him. Russell testified to having conferences with Bioff and Joseph M. Schenck at the latter's home and office about the $100,000 loan. Several other cablegrams were introduced to show Schenck's interest in the Bioff case.

Bioff was admonished repeatedly by Judge Knox to give direct answer to the questions of Correa.

'Told to Hold Cash'

Bioff, on cross-examination, testified that he received $50,000 each from Nicholas M. Schenck, president of Loew's, and Sidney R. Kent, president of 20th Century-Fox, in New York. He said he was told to hold the cash until Joseph M. Schenck returned from Europe.

"Didn't it strike you as extremely odd that they asked you to hold this money?" Correa asked.

"I can't help what they think or what they had in mind but the fact remains that's what they did," Bioff responded, adding later, "The whole setup struck me as odd."

He testified that he had never been asked what facilities he had for holding the large amount of currency and that he took out no insurance against its loss by fire or theft. Correa questioned him about Samuel Brenner, a Chicago attorney who, Bioff said, made some of the payments on behalf of the producers. After getting from the defendant the statement that he knew Brenner for about two years before the incident, Correa produced a sworn passport application submitted by Bioff in which Brenner had stated that he knew Bioff for 30 years. Bioff denied that these payments constituted "a local shakedown" in Chicago. Bioff also denied that Nick Dean, also known as Nick Circella, had been appointed collection agent in Chicago after Bioff moved to the coast.

Bioff reiterated that Browne, his co-defendant, was not present when any collections were made but a mitted that Browne was present wh Norman Thor Nelson showed h bankbooks proving that commissio received from Smith & Aller we deposited.

There will be no trial session t day. The hearing will resume Mo day with Russell continuing his dire testimony.

Ostrer Resigns as Chairman of G.B., Succeeded by Ran

(Continued from page 1)

rector, and Leslie Farrow have be named to the Gaumont board of rectors.

Woolf has been named joint ma aging director of Gaumont Briti with Mark Ostrer, who continues that post. Metropolis & Bradfo Trust Co., the holding company wh controls Gaumont, and whose sha were purchased by the Rank-Wo interests, has announced the resig tion of Isidore, Mark and Maur Ostrer, and the appointment of Ra Woolf and Farrow.

Complete financial details of t transaction have not yet been ma public, and it is understood the del was occasioned by the need of obta ing approval from 20th Century-Fo which has an interest in Gaum British. Such approval is understo to have been given.

Plan S. A. Branches For Mexican Film

MEXICO CITY, Oct. 30.—Arran ments for the establishment of changes for Mexican pictures in L Latin American cities are being ma by Studio Workers' Local 2 of National Cinematographic Work Union, it was announced by its sec tary general, Enrique Solis, during fiesta here that commemorated seventh anniversary of the local's ganization.

Aid of President Manuel Avila C macho in establishing these exchan and in the organization of a pict workers' bank here and the insti tion of an academy of cinematograp arts, to encourage the best works a players, is to be enlisted, Solis said.

Clergy in Pa. Town Hits Visiting Shou

NANTICOKE, Pa., Oct. 30.—The cal clergy has united against all c cuses, carnivals and road shows a where within town limits and manded Republican and Democra nominees for city offices commit the selves on the issue.

In the petition it was stated "vast amount of money carried aw by such carnivals and road sho brings upon our business men irrep able loss."

Noel Coward Fined $80

LONDON, Oct. 30.—Noel Cowa was fined $800 and $80 costs tod for violation of Britain's wartime nance regulations, based upon failu to report United States assets to t Government.

Theatre Opens Tonigh

The Park Theatre on Columb Circle will inaugurate its new fi policy with a special program tonig

Rodgers Explains Metro Sales Policy At ITOA Meeting

(Continued from page 1)

day in an explanation of the M-G-M sales policy before the New York ITOA, meeting at the Hotel Astor.

Rodgers appeared at his own request to respond to exhibitors' views on the company's sales policy as outlined to Rodgers at a recent meeting with Harry Brandt, ITOA president, Brandt told the meeting. Brandt, in introducing Rodgers, stressed the value of round-table discussions to iron out problems of distribution and exhibition.

Rodgers asked the independent exhibitors present to trust M-G-M, stressing the company's past record of fair dealing with exhibitors. Responding to the contention that too many percentage pictures are offered, Rodgers pointed out as an example that in the first two groups of M-G-M films for the new season, totaling seven films, only one, "Honky Tonk" has been designated as a percentage picture for subsequent runs in the New York territory.

Answers Reports on Terms

In answer to the asserted report that some circuits here were getting all Metro product on a flat rental basis, the M-G-M sales chief assured the ITOA members that such was not the case, nor was it true anywhere in the country. He declared that no picture will be designated as percentage unless in the honest judgment of the company sales heads, such designation is justified by the quality of the film.

He pointed out that negative costs have risen tremendously, from an average of $350,000 to $750,000 over a period of years, most of the increase developing within the past few years, and that if negative costs are cut, the quality of the product must necessarily suffer accordingly. Production costs make it necessary that certain pictures be sold percentage, he said.

Comments on Adjustments

At the conclusion of his exposition of the Metro policy, Rodgers answered questions from the floor. He pointed out that adjustments on contracts on individual pictures were sometimes necessary and emphasized that the exhibitor should feel entirely within his rights in asking for such adjustments.

At the meeting were the following M-G-M executives: T. J. Connors, Eastern, Southern and Canadian division manager; E. K. O'Shea, Central division manager; Jack Bowen, New York district manager; Edwin W. Aaron, assistant to Rodgers; Ralph Pielow, New York branch manager, and Ben Abner, Newark manager. Max A. Cohen, president of the Cinema Circuit, also attended.

Heads Show Builder Unit

Ken Prickett has been named special representative in charge of M-G-M's "Show Builder" Unit No. 1, by William R. Ferguson, exploitation manager. Prickett has been manager of El Rancho Theatre, Victoria, Tex.

Books Stage Play

CHICAGO, Oct. 30—Larry Stein, Warners Theatres district manager, has booked the play "Tobacco Road" for showing at the Paramount Theatre, Hammon, Ind., Nov. 27-29.

$450,000 Film Arbitration Budget Seen for Next Year

(Continued from page 1)

Feb. 1 has made it possible for the American Arbitration Association to hold costs to a figure comfortably under the $490,000 maximum set by the consent decree for the initial operating period. This was accomplished despite non-recurring costs involved in the establishment of the boards for such items as purchase of furniture and equipment for the 31 local offices.

$465,000 Maximum

The decree sets the maximum budget for the second operating period of the boards at $465,000, but present indications are that the actual budget will be slightly less than that amount. The economical operation during the initial period eliminated whatever disposition there might have been to seek the reduction of some of the boards at this time on grounds of economy. It was felt that the small amount which might have been saved would be more than offset by the inconvenience to exhibitors which would result from the elimination of any of the boards.

It is pointed out, also, that the fact that three boards, Des Moines, Indianapolis and Seattle have had no complaints may mean no more than that potential arbitration cases were satisfactorily settled but that complaints requiring arbitration may arise at any time.

Warburg Budget Chairman

Paul Warburg of the A. A. A. is chairman of hte budget committee and Joseph H. Hazen of Warners represents the consenting distributors. The costs of the arbitration boards are divided among the five consenting companies.

Defer Arbitrator Selection

CHICAGO, Oct. 30.—The time limit to select an arbitrator in the clearance complaint of the R & G Corp., Cicero, Ill., operating the Olympic Theatre, has been extended to Nov. 17 by stipulation of the parties involved.

Baltimore Store Time Hits Theatre Gross

BALTIMORE, Oct. 30.—First run theatres in the downtown district here declare a new ruling by the department stores to remain open until 9 P.M. on Thursdays is affecting business on that evening each week. Store managers claim the extended hours are to accommodate thousands of defense plant workers in the city.

Exhibitors state people are too tired to go to the theatre after shopping and that the store employes, likewise, hasten home.

Eight Distributors Indorse 'Unity' Plan

(Continued from page 1)

tute a subcommittee, will confer with Warners, RKO and United Artists today or Monday. They will report later to the committee.

They said that the discussions have related to methods of procedure with the aim of calling a meeting of all industry branches in the near future to form a joint committee and that actual unity objectives have not figured in the talks.

Paramount to Sell Away from National

(Continued from page 1)

fered by the Skouras enterprises for such top Paramount pictures as "Hold Back the Dawn," "Nothing But the Truth," "Birth of the Blues" and "Skylark."

Agnew said further, in a company statement released yesterday, that Paramount, in a long series of negotiations with the Skouras Brothers, operating heads of National Theatres, had presented several alternate plans for their consideration, but had been unable to reach an agreement which the distributing company considered would yield an adequate film rental for their product based on grosses.

Ed Zabel, head film buyer for the National Theatres here, declined to comment on the Paramount statement.

39-Week Para. Net Put at $7,450,000

(Continued from page 1)

the result for the corresponding 1940 period was $1,355,000 share of undistributed earnings of such subsidiaries and $88,000 profit on purchase of debentures.

After provision for preferred dividends, the result for the 39 weeks represents $2.60 a share on the common stock, compared with $1.60 a share for the corresponding 1940 period. The result for the third quarter is equal to $1.10 a share on the common, compared with 58 cents a share for the third quarter last year.

GE Named in Trust Action Over Lamps

An anti-trust suit for $1,500,000 triple damages was filed yesterday in the U. S. District Court against General Electric Co. by the Sonolux Co., formerly engaged in the manufacture of incandescent lamps used in film studios and theatres.

The plaintiff contends that in 1933 it had such accounts as Paramount, Warners, and Skouras Theatres, but that it lost these customers because of alleged threats of litigation by the defendant. General Electric has a large number of patents relating to products similar to those manufactured by the plaintiff, the complaint alleges.

Lee to Speak in Midwest

Claude Lee, Paramount public relations head, will address the Minneapolis Advertising Club Nov. 5 on "The Romance of the Motion Picture Industry." He will speak the following day before the Duluth Rotary Club.

Birdwell Office in London

Russell Birdwell's publicity office announced yesterday that he had opened an office in London. Paul Brewster will be in charge, the announcement stated. Birdwell is expected back in several weeks.

Army Boosting Film Service To 555 Houses

The United States Army Motion Picture Service plans the operation of 555 film theatres at 277 posts throughout the country, in a program of wide expansion resulting from the national emergency. The service, which is an Army function apart from USO activity, is making 2,120 feature bookings weekly for 3,516 film showings.

The number of theatres in operation is increasing rapidly, it is said. Tent theatres for the most part are being replaced by more permanent housing, and the remaining out-of-doors showings shortly will be discontinued until next Spring.

Control of the extensive Army film service is centered in national headquarters in Washington. Raymond B. Murray and Fred Bund, Jr., are general manager and assistant manager, respectively. Thomas H. Martell is chief booker. Six district offices are located in St. Louis, Dallas, Atlanta, New York, Washington and Seattle.

The Army film service at present is arranging for 9,211 bookings monthly. The Southeastern and Southwestern districts contain the greatest number of Army posts, each with 53; the Eastern has 48, the Southern, 36; Central, 36; Western, 45, and independent posts number six.

Greenblatt Holding Eastern PRC Meet

Arthur Greenblatt, Producers Releasing general sales manager, is holding an Eastern sales conference here preparatory to leaving tonight on a tour of 15 exchanges and a visit to the studio.

Attending are the following franchise holders: Herbert Given, Philadelphia; Harry Asher, Boston; William Flemion and Ann O'Donnell, Detroit; George Gill, Washington; Milton Lefton, Pittsburgh; Lee Goldberg, Cleveland; G. B. Topper, Chicago, and Bert Kulick, New York.

Bjorn Foss has been named branch manager of the Los Angeles exchange of Producers Releasing Corp. by Sam Decker, franchise holder there.

Order Current Saving At Southeast Houses

(Continued from page 1)

mercial users in Alabama, Georgia, Tennessee, Eastern Mississippi, Northwestern Florida and Southeastern South Carolina, including Charleston, effective Nov. 10.

Consumption in North Carolina, where there is adequate production but a drain caused by efforts to supply defense plants in Tennessee with current, is to be cut five per cent.

Operator Pact Signed

The Howard Theatre, Brooklyn, operated by Levco Theatre Corp., headed by Abraham Levy, has agreed to sign with United Theatrical & Motion Picture Service Employes Union operators, following State Labor Relations Board hearings. The theatre agreed to disband the Alliance of Motion Picture Operators.

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 3	Two Latins from Manhattan (M) *Jinx Falkenberg* (1941-42)	Honky Tonk (D) 204 *Clark Gable Lana Turner*		Buy Me That Town (D) 4102 *Lloyd Nolan* (1941-42)	Dangerous Lady (D) 115 *Neil Hamilton June Storey* (1940-41)	Sailors on Leave (C) 109 *Wm. Lundigan Shirley Ross* (1941-42)	Father Takes a Wife (C) 204 *Menjou-Swanson* (1941-42)	A Yank in the R.A.F. (D) 211 *Power-Grable* (1941-42)		Mob Town (D) *Dead End Kids Tough Guys* (1941-42)	Law of the Tropics (D) 105 *C. Bennett* (1941-42)
Oct. 10	Texas (O) *Wm. Holden Claire Trevor* (1941-42)	Married Bachelor (C) 205 *Robert Young Ruth Hussey*	Stolen Paradise (D) Tonto Basin Outlaws (O) (1941-42)	Nothing But the Truth (C) 4101 *Bob Hope* (1941-42)	Jungle Man 126 (D) *Buster Crabbe* (1940-41)	Mercy Island (D) 110 *Ray Middleton Gloria Dixon* (1941-42)	Bandit Trail (O) 281 *Tim Holt* (1941-42)	Great Guns (C) 212 Riders of the Purple Sage (1941-42)	New Wine (M) *Ilona Massey Alan Curtis* (1941-42)	Never Give a Sucker An Even Break (C) *W. C. Fields* (1941-42)	International Squadron (D) 106 *Ronald Reagan* (1941-42)
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Smilin' Through (M) 206 *J. MacDonald Gene Raymond*	Top Sergeant Mulligan (D) *Nat Pendleton* (1941-42)		Hard Guy 205 (D) *Jack LaRue* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)	Niagara Falls (C) (Streamliner) *Tom Brown* (1941-42)	Burma Convoy (D) South of Tahiti (D) (1941-42)	The Maltese Falcon (D) 107 *H. Bogart Mary Astor* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell Binnie Barnes* (1941-42)	Feminine Touch (C) 207 *R. Russell Don Ameche*	Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Billy the Kid Wanted 257 (O) *Buster Crabbe* (1941-42)	Gauchos of Eldorado (O) 162 3 Mesquiteers (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Moon Over Her Shoulder (C) 215 *Lynn Bari*		Flying Cadets (D) 6028 *William Gargan Edmund Lowe* (1941-42)	
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)		Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Mr. Celebrity 114 (D) *Buzzy Henry James Seay* (1940-41)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)	Swamp Water (D) 218 *Huston-Brennan Dana Andrews* (1941-42)	Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March Martha Scott* (1941-42)
Nov. 7	The Stork Pays Off (C) *M. Rosenbloom Rochelle Hudson* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy Rise Stevens*	Zis Boom Bah (C) Siren of the South Seas (Re-issue) (1941-42)	Birth of the Blues (M) 4109 *Crosby-Martin* (1941-42)	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray F. Langford* (1941-42)	
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson Edw. Arnold*	I Killed That Man (D) *Ricardo Cortez* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)	Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry Smiley Burnette* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	Hot Spot (D) 216 *Grable-Landis Vic Mature* (1941-42)	Corsican Brothers (D) Miss Polly (C) (Streamliner) (1941-42)	Paris Calling (D) *Scott-Bergner* (1941-42)	Blues in the Night (M) *Priscilla Lane Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell Myrna Loy*	Double Trouble (C) Bullets and Bullion (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)			Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*	Forbidden Trails (O) Lone Star Law (O) (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)		Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez*		Twin Beds (C) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello Martha Raye* (1941-42)	They Die With Their Boots On (D) *Errol Flynn O. De Havilland* (1941-42)
Dec. 5	Sing for Your Supper (C) *J. Falkenburg Buddy Rogers* (1941-42)		Borrowed Hero (D) *Florence Rice* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)	Swamp Woman 201 (D) *Ann Corio Jack La Rue* (1941-42)	District Attorney vs. the Carter Case (D) *James Ellison* (1941-42)				Don't Get Personal (C) *Hugh Herbert* (1941-42)	
Dec. 12	Honolulu Lu (D) *Lupe Velez Leo Carrillo* (1941-42)		Boy of Mine (D) *John Boles* (1941-42)		Billy the Kid's Round-Up (O) 258 *Buster Crabbe* (1941-42)	Red River Valley (O) *Roy Rogers Gabby Hayes* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)			The Wolf Man (D) (1941-42)	
Dec. 19	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)				Law of the Timber (O) 215 *Monte Blue* (1941-42)					Melody Lane (C) *Baby Sandy Merry Macs*	

After Titles Denote the Following: (D) Drama (M) Musical (C) Comedy (O) Outdoor

Permits Sought for Three New Stations; Grant FM Approval

WASHINGTON, Oct. 30.—Construction permits for three new standard broadcasting stations have been asked the FCC.

The applications were filed by J. Walter Tison for a 600-kilocycle, 1,000-watt station at Jacksonville; Cleveland Broadcasting, Inc., for a 1300-kilocycle, 5,000-watt station at Cleveland, and Ralph W. S. Bennett for a 1,450-kilocycle, 250-watt station at Sandusky, O.

Applications Received

The commission also received applications from Stations WBRK, Pittsfield, Mass., for change of frequency from 1,340 to 1,150 kilocycles and increase of power from 250 to 1,000 watts; KXA, Seattle, for increase of power from 1,000 to 10,000 watts; WJPA, Washington, Pa., for change of frequency from 580 to 640 kilocycles and increase of power from 1,000 to 50,000 watts, and WFTL, Fort Lauderdale, Fla., for change of frequency from 1,400 to 710 kilocycles and increase of power from 250 to 10,000 watts.

The commission authorized Stations KVOS, Bellingham, Wash., to change its frequency from 1,230 to 790 kilocycles and increase power from 250 to 1,000 watts, and KFXJ, Grand Junction, Colo., to change frequency from 1,230 to 920 kilocycles and increase power from 250 watts to 500 watts night, 1,000 watts day.

Approve Chicago FM Station

A construction permit for a new FM station to operate on 47,900 kilocycles, covering 10,800 square miles, was issued to the Oak Park Realty & Amusement Co., Chicago. Authority to increase its power from 5,000 to 50,000 watts was granted Station KJR, Seattle.

The commission ordered hearings on the applications of Charles P. Blackley for a new 1,240-kilocycle, 250-watt station at Staunton, Va.; Paul Forman Godley for a new 1,230-kilocycle, 250-watt station at Newark, N. J.; Beauford H. Jester for a new 1,230-kilocycle, 250-watt station at Waco, Tex., and Roy Branham Albaugh for a new 1,230-kilocycle, 250-watt station, also at Waco, Tex., and the request of Station WFAS, White Plains, N. Y., for change of frequency from 1,240 to 1,230 kilocycles.

Reagan Will Address ITPA

Charles M. Reagan, Paramount assistant sales manager, will be a speaker at the I.T.P.A. of Wisconsin and Upper Michigan convention, to be held at Milwaukee next Tuesday and Wednesday, Paramount announced yesterday.

Chicago Party Dec. 5

CHICAGO, Oct. 30.—The Warner Club of Chicago will hold its annual party at the Morrison Hotel Dec. 5. Steve Fitzgerald, manager of the Straford Theater, is president.

Laurel and Hardy Arrive

Stan Laurel and Oliver Hardy arrived from the Coast yesterday. They will be in the group of actors who will leave Monday to entertain at U. S. Army bases in the Caribbean.

Review

"The King"

(Trio Films)

THIS French film is not for the family. The king of a mythical country, seeking escape from the humdrum affairs of state, visits France, which he knows from past experience, it is explained, offers attractive diversions. The story thereafter is strictly a boudoir farce.

Product of the pre-Vichy France, but unmarred by its age, the satire is liberally flavored with the so-called Continental spice. Thus past reaction should serve as criterion in determining where the film would be appropriate. The risque element is much in evidence.

Two of France's foremost stars share the lead, Victor Francen, as the king, and Raimu, as the French democrat, whose wife is naive and an easy victim to the charming approach of the regal visitor.

Running time, 93 minutes. "G."*

EUGENE ARNEEL

**"A" denotes adult classification.*

'Dakota' and Show $19,000, Cleveland

CLEVELAND, Oct. 30.—"Bad Lands of Dakota" drew $19,000 at the RKO Palace, with Bill Robinson heading the "Harlem Revue" on the stage. "Sergeant York" drew $16,000 in its second week at Warners' Hippodrome.

Estimated receipts for the week ending Oct. 23-24:

"Little Foxes" (RKO)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)

"Sergeant York" (W. B.)
WARNERS' HIPPODROME—(3,800) (44c-50c-60c) 7 days, 2nd week. Gross: $16,000. (33c-39c-47c Average, $11,000)

"Bad Lands of Dakota" (Univ.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Bill Robinson and "Harlem Revue" on stage. Gross: $19,000. (Average, $13,500)

"Smilin' Through" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10,500. (Average, $11,000)

"Nothing But the Truth" (Para.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $7,000. (Average, $4,000)

'Smilin' Through' St. Louis Winner

ST. LOUIS, Oct. 30. — Overcoming stiff competition from a rodeo and circus, local theatres did well. Loew's, with "Smilin' Through" and "Tanks a Million," grossed $14,500.

Estimated receipts for the week ending Oct. 23:

"Week End in Havana" (20th-Fox)
"Sailors on Leave" (Rep.)
AMBASSADOR—(3,018) (30c-40c-50c) 7 days. Gross: $12,500. (Average, $11,500)

"Yank in the R.A.F." (20th-Fox)
"Unfinished Business" (Univ.)
FOX—(5,039) (30c-40c-50c) 7 days, 2nd week for "Yank." Gross: $11,800. (Average, $11,000)

"Sergeant York" (W.B.)
MISSOURI—(3,514) (40c-50c-60c) 7 days, 4th week. Gross: $4,800. (Average, $4,000)

"Kiss the Boys Goodbye"
"Aloma of the South Seas"
ST. LOUIS—(4,000) (35c-45c) 7 days. Gross: $3,000. (Average, $2,600)

"Smilin' Through" (M-G-M)
"Tanks a Million" (U.A.)
LOEW'S—(3,162) (30c-40c-44c-56c) 7 days. Gross: $14,500. (Average, $13,000)

Drop Seattle Policy

SEATTLE, Oct. 30.—Hamrick-Evergreen's policy of operating their Music Hall theatre every Friday, Saturday and Sunday as a first-run return engagement house has failed to prove satisfactory, and the theatre is again closed except for special rental occasions.

Kodak Employes Get Defense Bond Plan

ROCHESTER, Oct. 30.—A plan to buy Defense Savings Bonds from their earnings has been offered employes of Eastman Kodak Co. by Frank W. Lovejoy, board chairman.

Under the plan, employes may authorize payroll deductions of any desired amount.

Two Companies Formed

SACRAMENTO, Oct. 30.—Two theatre companies have been incorporated here to operate in California. They are Hi-Ho Theatre, Inc., San Francisco, by L. S. Hamm, B. E. Kagen, Jesse Feldman and F. E. Cannon, and Inway Theatres, by R. G. Sobel and L. B. Goodman.

NBC, CBS Sue For Injunction On FCC Rules

Attacking the new FCC network regulations due to go into effect Nov. 15 as "arbitrary, capricious and contrary to public policy" and beyond the powers of the commission, CBS and NBC filed suit in U. S. District Court here yesterday to enjoin enforcement of the rules.

A hearing will be held next Friday at which the networks will request a temporary injunction pending final disposition of the action. Also sought will be the convening of a statutory court of three judges to review the ruling of the FCC.

Although CBS brought its suit by itself, NBC was joined by Woodmen of the World Life Insurance Society, owner and operator of WOW, Omaha, Neb., and Stromberg Carlson Telephone Manufacturing Co., owner and operator of WHAM, Rochester, N. Y., as co-plaintiffs.

Both networks had previously announced on Oct. 11, the date the rules were promulgated, that they intended to bring the suit. Last minute conferences this week with Assistant Attorney General Thurman Arnold failed to produce a satisfactory settlement, it was reported.

Affidavits of William S. Paley, CBS president; Niles Trammell, NBC president, and Herbert V. Akerberg, CBS vice-president in charge of station relations, accompanied the filing of the suits.



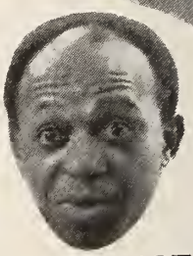
TOMORROW NITE!

9 TO 9:30 E.S.T.

THESE STAR SALESMEN



BING CROSBY



ROCHESTER



B. G. De SYLVA



JOHN SCOTT TROTTER AND HIS ORCHESTRA



BETTY JANE RHODES



RUBY ELZY

JOHNNY MERCER



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"BIRTH OF THE BLUES"

PARAMOUNT'S BOX OFFICE BLESSED EVENT

TO 52,500,000 LISTENERS OVER 70 STATIONS OF THE MUTUAL BROADCASTING SYSTEM AND ITS AFFILIATES!

Don't forget to tune in Saturday, Nov. 1st, 9:00 to 9:30 P. M., E. S. T.

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50. NO. 88 NEW YORK, U.S.A., MONDAY, NOVEMBER 3, 1941 TEN CENTS

.B. Appoints istrict Heads ranch Chiefs

chnitzer Is Metropolitan District Manager

Edward M. Schnitzer, Warner stern district manager, was med Metropolitan district man- er with supervision over New rk, New Jersey and Brooklyn, it as announced Friday.

Other appointments giving added ties and wider authority were an- unced by Ben Kalmenson, Warner neral sales manager. They include bert Smeltzer, central district man- er with supervision over Washing- n, Philadelphia, Pittsburgh, Cincin- ti, Cleveland and Detroit; Fred ck, Southwestern district manager, pervising Dallas, New Orleans and klahoma City; Ralph McCoy, South- stern district manager, supervising

(Continued on page 4)

CC Assures Station tatus in Rules Fight

WASHINGTON, Nov. 2.—The Fed- al Communications Commission riday adopted an order assuring that roadcasters contesting the network egulations will be kept on the air ntil the issues are settled, whether y court action or Commission de- ision.

The order also announced formally at while the regulation prohibiting e operation of two or more stations ith substantially overlapping service reas was not suspended, the Com- ission will postpone indefinitely any ction to prevent dual station opera- on if it is shown that the operation f two staions in any city is indis-

(Continued on page 4)

500 at Pittsburgh Variety Club Fete

PITTSBURGH, Nov. 2.—About 500 ersons attended the 13th annual ban- uet and show of the Pittsburgh Variety Club here tonight.

Among those who participated were Xavier Cugat, Leighton Noble, Jack Coffey and Maurice Spitalny and their orchestras, Ethel Shutta, Raul & Eva Reyes, the Stuart Morgan dancers, Evelyn Farney, Sibyl Bowan, Hall Sherman, Mary Martha Driney, the Ken Christie Choir, the Juvellys and Sharky the Seal. Mart May was mas- ter of ceremonies.

IATSE Deposes Browne, Report

George E. Browne has been relieved of the IATSE presidency and Thomas Murtha, until recently an international representative of the IA on the West Coast, has been named to replace him, the *Daily Mirror* stated in a copyrighted story over the weekend.

The action was taken secretly by IA officials late last week due to disclosures in the Federal court trial of Browne and William Bioff on racketeering charges, the report stated. Union officials declined to confirm or deny the story.

Allied to Complete New York Meetings On Unity This Week

Sidney Samuelson and Jack Kirsch, constituting a sub-committee of the Allied States industry unity committee, conferred Friday with United Artists, the ninth company with which the two have met to discuss methods of advancing Allied States' plan for an all-industry committee.

Samuelson is expected to return from Philadelphia this week to confer with Warners and RKO, with

(Continued on page 2)

PARA. GETS DECREE 'ESCAPE' FOR MINN.

London Sees G.B.-Odeon Merger Move

LONDON, Nov. 2.—Financial circles here believe that the recent acquisition of Gaumont British control by General Film Distributors will eventually result in a merger of Gaumont British with the Odeon Circuit. This would combine two of three largest circuits in the United Kingdom.

Authoritative sources report that the possibilities of such a merger are being explored. J. Arthur Rank and Leslie Farrow, directors of General Film, who have been appointed chairman and director of Gaumont British and the Metropolis & Bradford Trust, G. B. holding company, are also directors of Odeon.

It is understood here that General Film is willing to acquire the 49 per cent interest of 20th Century-Fox in Metropolis & Bradford and that approaches have already been made. It is reported that 20th Century-Fox might be willing to sell under appropriate conditions.

Twentieth Century-Fox officials could not be reached for comment over the weekend.

Will Be Exempted from 5-Block Sales Method; U. A. Starts Sales

Federal Judge Henry W. Goddard is expected to sign an order today relieving Paramount of complying with the sales provisions of the Federal consent decree in Minnesota so that it may resume selling in that State without violating the Minnesota anti-block-of-five law.

Meanwhile, Ralph S. Cramblet, United Artists manager in Minneapolis, announced Saturday that he had received instructions to begin selling under the terms of the law. Paramount also is expected to start sales in Minnesota early this week.

Following a hearing in U. S. District court here on Friday at which the Department of Justice opposed Paramount's application for a release from the decree provisions, Judge Goddard directed attorneys for Paramount and the Government to agree on the form of an order relieving Paramount, and

(Continued on page 4)

Russell Continues As Bioff Witness

Charles T. Russell, income tax consultant and former Deputy Commissioner of Internal Revenue, will continue on the stand this morning as a defense witness when the extortion trial of George E. Browne and William Bioff is resumed in Federal Court. Members of Bioff's family are also due to give testimony that Bioff's real name is Morris W. Bioff.

Because of the holiday tomorrow, little likelihood of the trial ending this week was seen by attorneys. Browne has not indicated whether or not he will take the stand. If he does, the trial is almost certain to extend into next week.

10 Months' Arbitration Cost Is $190,000 Under Estimate

The American Arbitration Association will end the first 10 months operating period of the 31 industry arbitration boards at approximately $190,000 under the maximum budget of $490,000 allowed by the consent decree for their operations, the budget committee reported over the weekend.

The committee consists of Van Vechten Veeder, member of the national appeals board for the industry arbitration system; Joseph H. Hazen of Warners, and Paul F. Warburg of the A.A.A.

[MOTION PICTURE DAILY reported Friday that the A.A.A. would end the first period of the boards' operations "comfortably

(Continued on page 4)

Conn. Allied to Poll Members on Decree

NEW HAVEN, Nov. 2.—Allied Theatre Owners of Connecticut will meet at luncheon Tuesday at the Hof Brau Haus Restaurant, with Dr. J. B. Fishman presiding. A poll of all independent exhibitors in the territory on their reactions to the consent decree and its operation will be set in motion at this meeting. Exhibitors will be asked to give the organization anonymously a detailed account of the operation of the decree with respect to their theatres.

Resignation of Lawrence C. Caplan as executive secretary will be considered and a successor elected.

Home Offices Close Half Day Tomorrow

Home offices of the major companies will close at 1 P.M. tomorrow, Election Day, with the exception of 20th Century-Fox, which will be closed the entire day.

$3,000,000 Annual Business in Minn.

Indicating that the six major companies affected by the Minnesota anti-decree law do $3,000,000 annual business in the State, Paramount disclosed to Federal Judge Henry W. Goddard on Friday that its 1940-'41 business there amounted to $522,934.

In an affidavit by Benjamin Blotcky, Paramount district manager at Minneapolis, the company reported that it had $410,934 in feature contracts and $112,000 in short subjects and newsreel contracts in Minnesota last season. The company sold to 290 of the 475 theatres in the state.

Personal Mention

RUBE JACKTER, Columbia assistant sales manager, attended the Variety Club banquet in Pittsburgh last night after returning from the company's regional sales meeting at San Francisco.

•

WALTER WANGER plans to remain in New York another week.

•

HENDERSON M. RICHEY left yesterday for Milwaukee and will visit Charlotte, Dallas and New Orleans.

•

A-MIKE VOGEL has returned from Pittsburgh.

•

WESLEY KENT, Altec Service engineer in the New York district, is the father of a boy, WESLEY KENT III.

MR. AND MRS. ABE LASTFOGEL are in town from the Coast.

•

LOUISE PHESAY, secretary to AL MARGOLIES at United Artists, has announced her engagement to FRANK FINN.

•

SIDNEY LAX, formerly with Columbia in New Haven, has been discharged from the Army, as has WILLIAM NUTILE, formerly with Paramount in New Haven.

•

MARY WORSTELL of the M-G-M exchange, New Haven, is on sick leave.

•

WILLIAM SIRICA, operator of the Lido, Waterbury, Conn., is back at his theatre after a siege of the grippe.

Durr Sworn in as Member of F.C.C.

Washington, Nov. 2.—Clifford J. Durr, whose nomination to be a member of the Federal Communications Commission was confirmed by the Senate last week, was sworn into office Saturday morning, completing the Commission membership for the first time since July 1.

Set Plans for Drive Of Comerford Circuit

SCRANTON, Pa., Nov. 2.—Four district managers and six house managers of the Comerford Circuit will receive all-expense trips to Hollywood in the annual Comerford Theatres Managers drive which began yesterday. Final plans for the nine-weeks campaign named in honor of Y. Frank Freeman, Paramount vice-president, were made at an all-day meeting of managers and officials at the Inn, Buck Hill Falls, Pa.

Among the guests at the meeting were Postmaster General Frank C. Walker, Neil Agnew, Leonard Goldenson, Sam Dembow and Charles Reagan of Paramount; John J. O'Leary, general manager, John Nolan and Charles Ryan of the Comerford circuit.

Although previously divided into four divisions, the circuit's houses are aligned in six for the 1941-'42 drive, thus giving two more managers a chance to win an award.

Mayer Sees Record Coast Charity Drive

HOLLYWOOD, Nov. 2.—Louis B. Mayer, chairman of the motion picture division of the Los Angeles Community Chest, addressed stars from all studios and executives representing all guilds and unions, at a luncheon at the Assistance League.

Mayer expressed the belief that the 1941 drive, which opens tomorrow, will bring total contributions exceeding last year's record of $467,061, established under Mayer as chairman.

Grainger Leaves For Republic Meet

James R. Grainger, president of Republic, left by plane yesterday for New Orleans, to preside at a regional sales meeting for Southern offices, to be held at the Jung Hotel Wednesday and Thursday. From there Grainger will go to Chicago for a Midwest session at the Drake Hotel Friday and Saturday.

The final regional meeting will be held here at the New York Athletic Club on Nov. 12 and 13 for Eastern branch staffs and home office executives. Grainger will return here Nov. 10.

'Blues' Given Dual Opening in South

NEW ORLEANS, Nov. 2.—"Birth of the Blues," Paramount feature starring Bing Crosby and Mary Martin, was given a premiere at the Saenger Theatre here Friday night with a Hollywood studio group participating. A parade led by Gov. and Mrs. Sam Jones of Louisiana and a broadcast over WNOE were among the day's events.

Opening in Memphis

MEMPHIS, Nov. 2.—Ellen Drew, Richard Arlen, Albert Dekker, Martha O'Driscoll and Phillip Terry were in the group of Hollywood players who attended the opening of Paramount's "Birth of the Blues" at the Malco Theatre here Friday evening. A luncheon, banquet, parades and receptions preceded and followed the premiere. W. C. Handy, "father of the blues," received an ovation at the premiere.

Name Technical Staff For 'Night of Stars'

Marvin Schenck, chairman of the production committee of the "Night of Stars" benefit show at Madison Square Garden Nov. 26, has named the technical staff for the show.

The staff includes: Sidney Piermont, Loew's, staging; Arthur Knorr, Roxy, and Lester B. Isaacs, Loew's, amplification and lighting; Don Albert, Station WHN, head of the 100-piece orchestra.

'Swamp Water' to Globe

"Swamp Water," 20th Century-Fox picture, will go into the Globe on Broadway, following the current run of "Target for Tonight."

Short-Story Film Is Screened by M-G-M

The development of the short-story film is a positive approach to the elimination of the second feature, Arthur DeBra of the MPPDA told an audience at the Museum of Modern Art on Friday. He spoke connection with a screening of "The Tell-Tale Heart," M-G-M short based on the Edgar Allan Poe short story of that title.

"The Great Train Robbery," vintage 1903, was shown as a curtain raiser for contrast.

Edgar Allan Poe, Jr., a Baltimore attorney and writer and kinsman of the author, was in the audience. Also present were representatives of the Edgar Allan Poe Society and Arthur Stoughton, president of the Bronx Society of Arts and Sciences.

Among those present were Si Seadler, Art Schmidt, Maureen O'Sullivan, Herbert Morgan, Melvin Heymann, Jesse Zunser, Iris Barry and George Avis of Loew's, Baltimore.

Allied to Complete Meetings on Unity

(*Continued from page* 1)

which the sub-committee was unable to meet last week.

Kirsch, who returned to Chicago over the weekend, will prepare a report on the New York conferences for the Allied committee. Both committeemen said they were encouraged by the reception given them by the distributors. They were optimistic for prospects of an all-industry conference in the near future to discuss the formation of a permanent committee to handle problems of the industry as a whole.

Pressburger Due Today

Arnold Pressburger, producing for United Artists, is due here from the Coast today. He has signed Josef von Sternberg, director, to a three-year contract for one film a year. The director just finished work on Pressburger's production, "The Shanghai Gesture."

Ilona Massey Celebrates

Ilona Massey and Alan Curtis will be hosts at a cocktail party at the Stork Club on Wednesday to celebrate Miss Massey's receipt of first citizenship papers.

NBC Affiliates Se Operations Progra

A four-point program was dev oped Friday following a meeting NBC officials with a committee rep senting Red network stations. A si lar meeting was held Thursday w a Blue station committee. N Trammell, president of NBC, p sided at the meetings.

The program calls for the devel ment of a coordinated plan of ope tions by the network and its stati to insure maximum efficiency of s vice through effective cooperat with all national defense agenci study plans for the maintenance public morale and physical well be during any emergency; maintena of normal broadcasting schedules far as possible in the event of em gency, and establishment of a clear house of information to expedite p curement of equipment and repla ment parts.

It was decided to hold regu meetings quarterly.

Armstrong Award i Radio to H. W. Houc

The fourth award of the Armstr Medal for "outstanding contributi to the radio art" was made Fri night to Harry William Houck, N York engineer and radio pioneer, the 32nd annual dinner of the Ra Club of America.

J. L. Callahan, club president, p sented the award. Rear Admiral S. Hooper, director of the radio liai division, Office of the Chief of Na Operators, was guest speaker.

Leaves Warner Branc

Al Barabas has resigned as assi ant booker at the Warner exchar here to join his brother in Washi ton.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*

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The Face on the Cutting Room Floor

When David Wark Griffith and Billy Bitzer at Biograph were teaching the camera to tell stories they used many close-ups.

They found that a twitching lip, distraught hands twisting a kerchief, the furtive finger in the discard, the like of that, sometimes could tell more than a stage full of actors.

Competitors, jealously unhappy, were sarcastic.

"Griffith chops his actors up into pieces," they said scornfully "He hires the whole actor and he ought to use him," they argued.

The ridiculousness of the notion serves, however, to stress a certain logic which it overstates. This comes to point here in that policy of Republic Pictures Corporation which insists that what it buys must be delivered on the screen.

Republic has the unique policy of buying a story only when it is to be used, employing players when they are to be cast, hiring directors when they are to direct.

A set is built after it is in the script, and the script is what the picture is about. Changes of mind and shifts in construction are made on paper, not on the stage. This makes it unnecessary for the editing department to leave costly sequences, and faces, on the cutting room floor. Republic production is not exploratory, not experimental. Shooting begins when it has been decided what is to be shot at.

A consequence of that shows up in the bookkeeping. There is no "dead horse" to be buried in the cost sheets, no inventory to be charged off there and passed on to the trade in sales quotas. The cost is the cost of the picture and the pictures are for the picture, on the screen, not on the cutting room floor.

This is becoming widely known. Ernest Heyn, editor of Photoplay-Movie Mirror, recently wrote concerning "the intriguing example of Herbert Yates, who . . . can make a picture for $100,000 that will cost a major $250,000 because of overhead so cleverly avoided by Yates."

No marquee ever sold overhead with success. The customers can't see it.

REPUBLIC PICTURES CORPORATION

BUY U. S. DEFENSE BONDS

Court to Grant Para. 'Escape' On Minn. Law

(Continued from page 1)

said he would sign it as soon as it was completed.

Attorneys indicated over the week-end that the order should be ready for Judge Goddard's signature today.

None of the other four consenting companies gave any indication in court or after the hearing that they intended to follow Paramount's course and also seek exemptions from the decree for Minnesota operations. Two of the companies indicated that they would not do so and the remaining two merely stated that "no decision has been reached."

Say Paramount 'Unique'

One pointed out that Paramount was in a unique position insofar as Minnesota operations are concerned in that the decree permits it to sell to its own theatres there in the manner prescribed by the state law. The company would be in a difficult and conspicuous position, it was stated, if it continued selling to its own Minnesota theatres without making any effort whatever to sell to other theatres in the State. The other four consenting distributors have no theatre affiliations in Minnesota and are not confronted with the same problem.

Paramount's application was made by Thomas D. Thacher, who told the court that the criminal actions already started in Minnesota for violation of the state laws by Paramount, RKO and 20th Century-Fox are regarded as test cases which will determine the constitutionality of the Minnesota anti-block-of-five law in the speediest and most definitive form. He indicated that the equity case originally started by the major distributors to attack the state law's constitutionality will not be pressed.

Judge Goddard expressed the belief that it would be advisable for the Government to intervene in the test cases and lend its help to the distributors in contesting the state law. However, Robert L. Wright, special assistant to the U. S. Attorney General, said the Department of Justice has no plans for intervening at this time.

Government Opposition

In opposing the Paramount measure, Wright contended that Section 23 of the decree, on which Paramount's application for a release was based, contemplated an exemption from the decree only when "valid" state laws conflicted with the decree provisions. He argued that the Minnesota law is not valid until the courts have so held, and until that time the court should not grant Paramount a release from the decree.

He said that the Government contends that block booking as proposed under the Minnesota law is a violation of the Sherman Act and that the state law, therefore, is invalid if the Government is right.

Thacher remarked that he saw no merit in the Government's contention because theatre operations are intrastate and therefore subject to state legislation of that kind.

Judge Goddard ruled that Section 23 of the decree applied to a situation where a state law imposed an obligation on a consenting distributor which was in conflict with the obligations imposed upon it by the decree, and he was therefore compelled to grant Paramount's application.

The order will release Paramount from only the trade showing and blocks of five provisions of the decree in Minnesota. It will be effective until the validity of the Minnesota law has been determined.

10 Months' Arbitration Cost Is $190,000 Under Estimate

(Continued from page 1)

under" the maximum budget figure.]

The indicated $300,000 operating expense for the boards covers the period from January to the end of this month. The committee's budget for 1942 still is under consideration and, although it will be for a full 12 months period it should be well below the $465,000 maximum authorized by the decree, since the first budget included the cost of furnishing and equipping the 31 local offices. Because of the economical operations there has been no effort to eliminate any of the existing boards.

138 Complaints In Nine Months

There were a total of 138 arbitration complaints filed in 28 arbitration boards at the end of their ninth month of operation on Friday. Three boards, Des Moines, Indianapolis and Seattle, have had no complaints. An average of about 16 cases per month was again maintained.

Of the 55 awards which have been made to date, 30 have been in favor of exhibitors and 25 in favor of distributors. Seventeen cases have been appealed and eight have been decided, of which six were in favor of distributors and one for an exhibitor. The other was not decided on the merits and has been reinstituted.

Joelson Seeks Bronx Clearance Reduction

New York's 25th and 26th arbitration complaints were filed at the local board on Friday by Julius Joelson on behalf of two Bronx theatres. The 25th was by J-J Theatres, Inc., against Vitagraph, RKO and 20th Century-Fox. It contends that the seven-day clearance of the Skouras-operated Valentine over the complainant's Avalon, Oxford and Jerome is unreasonable as to time and area and asks that it either be eliminated or reduced to the day following the Valentine.

The 26th complaint was brought by Joelson's Kingsbridge Theatre, Inc., against the same distributors and theatre, and seeks the same relief for the Kingsbridge Theatre.

AAA Will Arbitrate Ascap-Nets Dispute

Disputes involving NBC and CBS under the new Ascap contract for royalty payments signed by the networks will be arbitrated through the machinery of the American Arbitration Association, the principals to the contract have agreed.

FCC Assures Station Status in Rules Fight Pending Settlement

(Continued from page 1)

pensable to the continued operation of two networks by one organization.

Commission officials said the order was not prompted by the suit filed by NBC and CBS but had been on the calendar for some time. Papers in that suit were filed on the FCC on Friday.

CBS Will Prosecute Suit, Seek New Law

CBS will not only prosecute its suit against the FCC "vigorously," William S. Paley, president, declared in a telegram to affiliated stations Friday, but will also "continue its efforts for the enactment of a new radio law which will recognize the present status of the radio art and the important part networks now play in American broadcasting; also a law which will clearly specify the powers of the Commission and thus safeguard the interests of broadcasters and the public alike."

Meanwhile, Mathias F. Correa, U. S. Attorney here, has disqualified himself as Government representative in the NBC-CBS action against the FCC and has asked the Attorney General to designate some one else. Correa was chief assistant to John T. Cahill, NBC counsel in the action, when the latter was U. S. Attorney.

A hearing on the broadcasters' request for a temporary injunction has been set for Nov. 7.

W.B. Appoint District Head Branch Chief

(Continued from page 1)

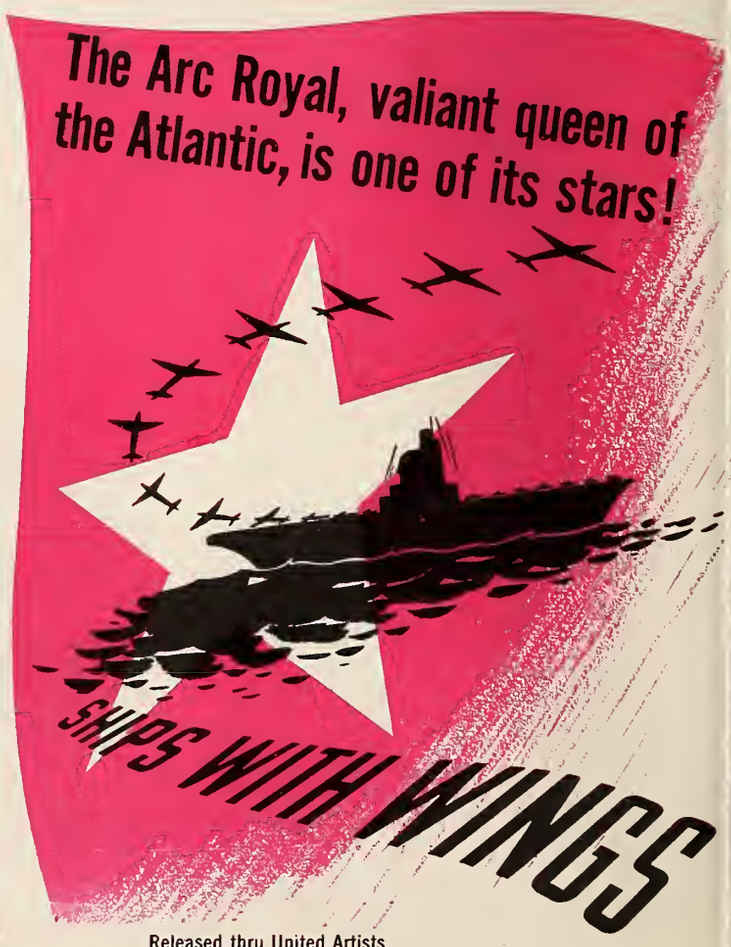
Atlanta, Charlotte and Memphis; R Lohrenz, Midwestern district m ager, supervising Chicago, Milwa Minneapolis, St. Louis, Indian Kansas City, Omaha and Des M and Henry Herbel, West Coast trict manager supervising Los Ange San Francisco, Portland, Seattle, D ver and Salt Lake City.

Doak Roberts replaces Jack Dallas as branch manager; Sid R replaces Lohrenz as Chicago distr manager; Fred Beiersdorf repla Smeltzer as Washington district m ager, and W. E. Callaway repla Herbel as Los Angeles district m ager. Roy Haines, Eastern Canadian division manager has had rect supervision of the Boston, N Haven, Buffalo and Albany branc added to his duties.

Charles Einfeld, director of adv tising and publicity, announced promotion of Robert S. Taplin from studio publicity manager to tional manager of publicity, and Alex Evelove of the studio publi staff to studio publicity manager.

'Harvest' Set for Coas

HOLLYWOOD, Nov. 2.—M-G-M make "Random Harvest" here inst of in England, as originally plan Greer Garson and Ronald Colman have the leads.



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. 50. NO. 89 NEW YORK, U. S. A., TUESDAY, NOVEMBER 4, 1941 TEN CENTS

A President een Named n Few Days

lznick Due to Leave for Coast Thursday

David O. Selznick expects to clude negotiations for a new ted Artists president within the next few days, it was stated yesterday.



David Selznick

Selznick has asserted he would remain in New York until a new company head has been chosen. He now plans to leave for the Coast on Thursday. If the current negotiations for a president are fruitless, it is understood that npany administration will be placed the hands of a management board to designated on Selznick's return to Coast.

Arthur W. Kelly, acting head of ited Artists, arrived on the Coast sterday for a week's stay. While re he is scheduled to confer with arles Chaplin and view new prod-t. He will also check an inventory assets of Walter Wanger Prod., cently acquired by the company and ated to become a new United Artists oducing organization.

loskowitz, Costen Refute Willie Bioff

With George E. Browne declining take the stand or call any witnesses d William Bioff concluding his de-nse effort by offering depositions ade by witnesses in California, the ial moved into its last stages yes-rday as the Government started with ebuttal testimony.

Charles C. Moskowitz, executive in harge of Loew's metropolitan New

(Continued on page 4)

Felder Is Reported Mono. Branch Head

Joseph Felder, former assistant to David A. Levy, manager of the New York exchange for Universal, it is reported will be named exchange manager for Monogram in New York.

Expect Broadway Gross Boom Today After Big Weekend

Broadway business is expected to boom today, Election Day, after a great box-office weekend. The legitimate theatres as well as the film houses played to packed houses Saturday and on Sunday, too, as hundreds of thousands poured into the city from early Friday, for the big football spectacles, including Army - Notre Dame, Columbia-Cornell and Fordham-Purdue, and stayed through until Monday. It is estimated that more than 500,000 out-of-town visitors were in town during that period. Hotels were taxed to capacity.

At the Center Theatre, a 3,500-seat house, where "It Happens on Ice" is holding forth, there were more than 200 standees reported on Saturday night, and at the Alvin, where "Lady in the Dark" is doing capacity business right along, the business on a comparative basis was equally as great.

On the film side, Broadway's interest is focused particularly this week

(Continued on page 4)

Majors Get 7 Million Of British Currency

The eight major distributors have received slightly less than $7,000,000 from London during the past few days as their share of the first release of their blocked British funds under the new monetary agreement.

An additional amount aggregating just under $1,000,000, and representing one-eighth of the released sum, has been set aside as a revolving fund from which payments will be made as required in the event later auditis show that any one of the eight companies

(Continued on page 5)

English Tax Total Put at $35,983,600

London, Nov. 3.—The entertainment tax in England last year brought to the British Exchequer £8,995,905 (approximately $35,983,600.) The budget estimates were for a revenue of £7,200,000.

Court Signs Escape Order On Minnesota

An order relieving Paramount of compliance with the sales provisions of the consent decree in Minnesota was signed yesterday by Federal Judge Henry W. Goddard, clearing the way for the company to resume selling in Minnesota immediately.

The Department of Justice, which had opposed the granting of the order at a hearing before Judge Goddard last Friday, included in it a provision that the court's action does not prejudice the Government's right to challenge the validity of the Minnesota law on the grounds that it violates the Sherman Anti-Trust Act, if it sees fit to do so later.

Robert L. Wright, special assistant to the U. S. Attorney General, in opposing the order last week, asserted that the Government regards compulsory block booking as a violation of the Sherman Act, and stated that, if the Government is right, the Minnesota law is invalid for that reason.

Judge Goddard indicated that he thought the Government should inter-

(Continued on page 4)

Rockefeller, Odlum See No RKO Changes

Scotch Report Schaefer to Be Replaced

WASHINGTON, Nov. 3.—Reports that George J. Schaefer may be succeeded by someone else as president of RKO were deprecated today by Floyd B. Odlum and Nelson A. Rockefeller, two of the company's biggest stockholders.



George Schaefer

Odlum, a dollar-a-year man in the Government's defense program, said that while the shakeup has been "gossiped about for months, I know nothing of an impending change."

Atlas Corp., of which Odlum is president, is reputedly the largest

(Continued on page 4)

Silver Heads WB Pittsburgh Zone

M. A. Silver, formerly in charge of the Albany theatre zone for Warners, yesterday was named zone manager for the Pittsburgh area by Harry Kalmine, assistant general manager of the Warner circuit, whom Silver succeeds in the Pittsburgh post.

C. J. Latta, who was assistant to Kalmine at Pittsburgh, was named to succeed Silver in the Albany post. Joseph Feldman, in charge of publicity at Pittsburgh, was named assistant to Silver in charge of theatre opera-

(Continued on page 5)

20th-Fox Sets Trade Shows on Next Block

Twentieth - Century - Fox has set trade showings for Nov. 13 and 14 on the company's next block of five features, according to Herman Wobber, general distribution manager. The five films and showing dates are: "Marry the Boss' Daughter," "Confirm or Deny" and "Cadet Girl," Nov. 13, and "Rise and Shine" and "The Perfect Snob" on Nov. 14.

Ceiling Is Fixed on Picture Theatre Admissions in Canada for Duration

Ottawa, Nov. 3.—The Canadian War Time Price and Trade Board today set the "ceiling" admission to be charged by motion picture theatres as the maximum admission applied during the period between Sept. 15 and Oct. 11, for the war's duration.

A few theatres across Canada recently raised their prices one or two cents to get away from "the odd copper" change nuisance, and as this was done after the basic period, during which the ceiling was set, they will have to drop their prices back to the original admission charge. The new order goes into effect Nov. 17.

Opinion is that Federal and provincial authorities will not increase or impose new gross taxes for the duration. Theatres were not expected to come under the scope of the price board. Other than film theatres, other types of entertainment are not included in the order, as was the case with the Federal admission tax last Spring.

New Mortgage on 16 Warner Houses

PHILADELPHIA, Nov. 3.—Sixteen theatres owned by the Stanley Company of America, and operated by the Warner circuit, are covered by terms of a $4,660,000 first mortgage secured by the company from the Equitable Life Assurance Society. Bearing interest at 4¼ per cent, the mortgage, which expires in 1956, is applicable to the following theatres here: Earle, Stanley, Stanton, Victoria, Alahambra, Broadway, Colonial, Cross Keys, Harrowgate, Imperial, Logan, Place, Savoy, 333 Market, Riviera and New Palace.

The mortgage replaces an original one of $10,000,000, reduced to approximately $6,000,000, known as the C. Benton Cooper Stanley real estate bonds. The issue, dated 1925, had a maturity date in 1945. It is being called for payment Dec. 1.

May Show Features

The Little Carnegie management is considering a feature policy instead of the present newsreels.

Personal Mention

MR. and MRS. JACK L. WARNER are in town.

•

JERRY LEWIS of Warners home office publicity department is in Tennessee.

•

STANLEY HAND, Altec Service staff representative, has returned from a four-week trip through the Midwest and Southwest.

•

W. DURWOOD THOMPSON, manager of the Strand in Duluth, Minn., has left his post to join the Army.

•

SONNY SHEPHERD, manager of the Lincoln Theatre, Miami Beach, accompanied by Gordon Spradley, manager of the Center Theatre, Miami, were visitors here yesterday.

•

MYRON BLANK of Tri-States Theatres, Des Moines, and MRS. BLANK are the parents of a son, their third child.

•

ABE L. EINSTEIN of Warner Theatres, Philadelphia, has been named a member of the public relations committee for the 1942 United Charities Campaign there.

•

LILLIAN REITTENMEYER, manager of the Casino, Des Moines, for the past 12 years, has left for her home in Iowa City.

•

NEIL MCGILL, manager of the Carolina, Charlotte, has been called to active duty in the intelligence department of the Naval Reserve in Charlestown.

MARTIN MULLIN and SAM PINANSKI of M & P Theatres, Boston, and EARL HUDSON of United Detroit Theatres, are scheduled to arrive here today for Paramount home office conferences.

•

HUNTER PERRY of Dominion Theatres, Virginia; CARL BAMFORD, Asheville, N. C., and FRED KENT and FRANK ROGERS of Jacksonville, Fla., left New York over the weekend after Paramount home office conferences.

•

H. J. YATES, Republic chairman of the board, left Hollywood by plane for New Orleans yesterday to attend a regional sales meeting there.

•

RUSSELL HOLMAN, Eastern head of Paramount production, and DICK MURRAY of the short subject department are visiting the Fleischer studio in Miami.

•

EUGENE ZUKOR, who was recently commissioned Lieutenant Commander in the Navy, has been detailed for active duty in the U. S. Navy.

•

CLAUDE LEE, director of public relations for Paramount, left yesterday for Milwaukee, Minneapolis and Duluth to fill speaking engagements.

Arthur Hurley Dies

LOS ANGELES, Nov. 3.—Arthur Hurley, veteran director and producer of both films and legitimate plays, died at his home here yesterday. He was associated with the Fox Film Corp. and with Warners.

'Little Tomatoes' A Symbol of Bosto Variety Club Wor

BOSTON, Nov. 3.—He's a littl of a kid, with wide, trusting eyes, a couple of years ago he walked the heart of big Johnny Durvin, trict manager for United Artist the Boston district, and, because a friends in the business call Jo "Tomatoes" for some mysterious son, they call the boy "Little T toes." Because he is what he is has acquired half a hundred fathers, all members of the Va Club. It's a strange sight to see shopping for him in Summer tim that he can go properly to a camp his vacation.

So, over the months and the y "Little Tomatoes" has become a of a symbol for the type of cha work the Variety Club does, caring for underprivileged youngs such as he is, with $2,000 turned recently to Mayor Tobin's Milk F

Tonight the club opened new quarters at the Hotel Sta Olsen and Johnson were there, so were Alan Dinehart, Lyle Talb every actor and actress of note town, because the Variety Clu made up of their kind of pe agents, theatre managers, distribu staffs and the like. And "L Tomatoes was there too, as the s bol of all the good work the tries to do. The club bought out Olsen and Johnson show, "Sun Fun" last night at $5.50 per tic and turned the proceeds over to Mayor's Milk Fund.

Lytell Calls Senate Probe Unity Thre

The existence of the Senate committee investigating alleged propaganda is denounced as a "c tinued threat to our national unity tree culture" in a letter to be today to all members of the Senat Bert Lytell, chairman of the S Film Censorship Committee.

Lytell, who is also president Actors Equity Association, urged Senators to dissolve the subcommi as a rebuke to its Senate sponsors, view of an overwhelming expres of public opinion against their act ties."

MOTION PICTURE DAILY
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NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
FRED ASTAIRE • RITA HAYWORTH
"YOU'LL NEVER GET RICH"
A Columbia Picture
ON GREAT STAGE: "UP OUR ALLEYS"—a gay, spectacular revue, produced by Leonidoff. Symphony Orchestra, direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Paramount Presents Bob Hope
Paulette Goddard
"NOTHING BUT THE TRUTH"
IN PERSON
THE ANDREWS SISTERS
JOHNNY LONG AND BAND
PARAMOUNT TIMES SQUARE

RANDOLPH SCOTT • GENE TIERNEY
"BELLE STARR"
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
Ann Sheridan - Jack Oakie
"NAVY BLUES" plus
"MOON OVER HER SHOULDER"
Lynn Bari

Continuous From 9:30 A. M.
POP. PRICES 35¢ TO 1 P.M.
Children Any Time 28c
Walt Disney's DUMBO
BROADWAY THEATRE • 53 ST. & B'WAY
Distrib. by RKO Radio
Mezz. Seats Reserved

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows.

★



5 SERVICES DAILY
VIA
SOUTHERN SUNSHINE ROUTE
TO
LOS ANGELES

THE MERCURY (Two Sections)
Lv. New York 4:30 pm and 4:45 pm
Ar. Dallas-Ft. Worth 1:28 am and 2:18 am
Ar. Los Angeles 7:47 am and 8:47 am

THE PLAINSMAN
Lv. New York 5:25 pm
Ar. Dallas-Ft. Worth 2:55 am
Ar. Los Angeles 9:47 am

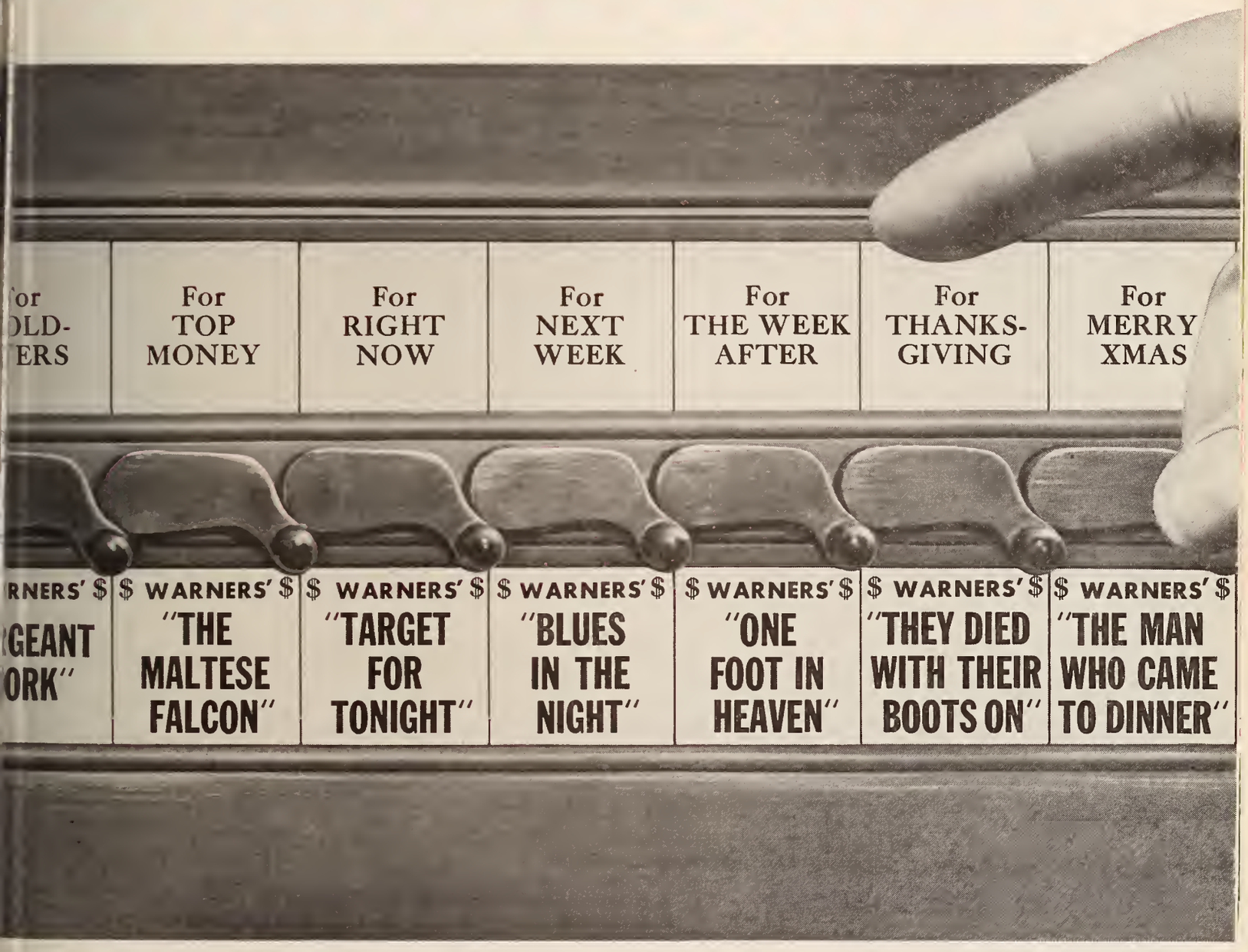
THE SOUTHERNER
Lv. New York 11:20 pm
Ar. Dallas-Ft. Worth 8:52 am
Ar. Los Angeles 4:02 pm

THE SUN COUNTRY SPECIAL
Lv. New York 6:30 am
Ar. Dallas-Ft. Worth 4:58 pm
Ar. Los Angeles 1:26 am

For reservations, call your Travel Agent or HAvemeyer 6-5000.
Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

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Court Signs Escape Order On Minnesota

(*Continued from page* 1)

vene in the pending criminal informations against Paramount, 20th Century-Fox and RKO at St. Paul for alleged violations of the Minnesota anti-block-of-five law and argue its contention there. The fact that the reservation was included by the Government in the order signed by Judge Goddard yesterday would indicate that the Department of Justice may intervene in the St. Paul cases.

Minn. Allied Leader Files Some Run Complaint

Bennie Berger, Northwest Allied leader, has filed a some run complaint against Paramount at the Minneapolis arbitration board, charging inability to obtain a run of the company's product under Section six of the decree for his Lyceum Theatre at Duluth, Minn., the American Arbitration Association headquarters here was advised yesterday.

Northwest Allied was the sponsor of the Minnesota anti-block-of-five law, under which the consenting companies were unable to sell in Minnesota without violating the decree. The arbitration action was filed prior to Paramount's application to the Federal court here for a release from the sales provisions of the decree to permit it to sell in Minnesota.

Filing of the arbitration action is regarded as having been a test move to determine whether either arbitration or Section six of the decree, which directs distributors to offer some run to exhibitors, offer any relief in the face of the state law. In the meantime, however, Paramount received its exemption from the decree and now is free to sell in Minnesota under the state law.

Rockefeller, Odlum See No RKO Change

(*Continued from page* 1)

RKO stockholder. In his Government post, Odlum is chief of OPM contract distribution.

Rockefeller's position was learned from an unimpeachable source. The Coordinator of Cultural Relations Between American Republics, he is cognizant of the persistent rumors involving Schaefer and looked into them when he visited the West Coast recently. Rockefeller Center, Inc., which Rockefeller heads, is one of the three biggest stockholders in RKO.

Rockefeller forsees absolutely no change in the RKO presidency and he is reported to regret that the recurrent reports may be "hamstringing" Schaefer.

Open Theatre in Rio

Loew's new Cine Metro Copacabana Theatre in Rio de Janeiro will be opened today, it was announced here yesterday. Seating 1,800, the house is similar to the circuit's recently erected Metro Tijuca in Rio.

C. C. Moskowitz and Costen Refute Bioff's Testimony

(*Continued from page* 1)

York theatres, and James E. Costen, Warner theatre zone manager in Chicago, were the first rebuttal witnesses and both told of new threats by Bioff in 1935 and closely linked Browne to the alleged activities of his co-defendant.

Moskowitz told of having an appointment with Browne late in the Summer of 1935 but finding Bioff and Nick Dean in the hotel room instead. "He told me he was responsible for Browne's election," Moskowitz said. "He said he had been told that there would be a couple of million in it for him. I started to leave but he pushed me back to my chair. He told me he expected this money and was going to get it."

Demands $150,000

About a week or 10 days later, Moskowitz continued, he met with Browne and Major Leslie E. Thompson, RKO theatre executive, to ask Browne's aid in avoiding a Local 306 strike. "Browne said we would have to pay him $150,000 before he would inject himself into the situation," Moskowitz related.

After several meetings, a method was suggested for the payments whereby Loew's agreed to pay the money to Mort Singer, circuit operator, and the latter would pay it over to Browne. "It's a deal," said Browne, Moskowitz testified. Loew's paid $105,000 as its share, plus income taxes for Singer and $2,000 for railroad fares, making $165,000 in all, Moskowitz said.

In 1937, Browne made a further demand, declaring that it would cost Loew's $100,000 to stop "sabotage" by operators, Moskowitz said. He described the "sabotage" as showing pictures without sound, sound without pictures, playing reels out of order and showing the picture upside down. Moskowitz said he agreed, and paid $25,000 in currency to Browne at Dinty Moore's restaurant in October, 1937, and $15,000 in April, 1938. Moskowitz denied asking Bioff to act as messenger, and declared that all payments were made because of threats to close the Loew theatres. Cross-examination by Martin Conboy, Browne's attorney, was brief. "Did you ask Mr. Browne for assistance?" was the question. "Yes," responded Moskowitz.

Costen Meets 'Berger'

Costen told of meeting Bioff for the first time in 1928 when he was introduced by Browne as "Willie Berger." The next meeting was in February, 1935, Costen said, when Bioff told Costen that money had been paid for the elimination of extra operators in Chicago and that if these men were to be reinstated Warners would be compelled to pay a good deal more money. A week later, Costen continued, Bioff called him again and declared that the Chicago Exhibitors' Association would have to pay $100,000 of which Warners would have to pay $30,000. Browne was present at both occasions, Costen testified. When Costen declared that his superiors would enter into such a deal, it was arranged for Browne and Bioff to accompany Costen to New York, Costen said.

Upon their return to Chicago, Costen continued, he called on Bioff and told him that the money would be sent to Chaplin & Cutler, Warner Chicago attorneys, and a $30,000 check was subsequently sent to the firm. Costen then told of a subsequent demand in May, 1936, for $11,000, and of giving Bioff $8,500. In September, 1936, Bioff was paid approximately $14,000, Costen said, and after Bioff left for California, Costen paid Nick Dean $9,600 in the Fall of 1938 and another payment was made in December, 1940.

"Too Big"

When Bioff was recalled to Chicago on the 1922 pander charges, Costen continued, the defendant boasted that he was "too big a figure" to go to jail and added that "Joe Schenck will be right next to me" if he, Bioff were jailed. Later, Costen added, Bioff said that other big men had gone to jail, including Josef Stalin and Adolf Hitler. Several days after this meeting, Bioff telephoned and became abusive in demanding further payments, Costen said, and $9,600 was paid over in cash at the Bismarck Hotel. Cross-examination of Costen will be begun tomorrow when the trial will be resumed.

Bioff's attorneys said that some short testimony may be introduced tomorrow, although they have rested their case formally. Charles T. Russell, income tax consultant, who was the first witness yesterday, said he had received $31,180 from the IATSE special assessment fund, although most of his activities had been on behalf of Browne, Bioff and Harry Holmden, an IATSE vice-president.

Transfers Stock

Jack Rabin, a stock broker connected with Mervin Ash & Co., testified that in October, 1937, his firm had transferred $202,837 worth of stock from the account of Joseph M. Schenck to Murray W. Garrson, a Congressional committee investigator, and J. M. Moskowitz. Rabin said that the transfer was made because of an error by the California office of the firm. Rabin did not have the California records with him and will be recalled tomorrow. Rabin was followed by a series of Bioff's friends and relatives who testified that Bioff was known in his youth as Morris.

The defense introduced a check by Schenck to a travel agency in the sum of $1,405 which paid for Bioff's trip to Rio de Janeiro in February, 1938. By stipulation, the testimony of Joseph H. Rosenberg, a vice-president of the Bank of America, was introduced by a deposition. Rosenberg stated that Schenck had borrowed $100,000 on an unsecured note on June 18, 1937 and that five days later, Schenck came to the bank with $100,000 in cash and had repaid it.

The testimony of John B. Codd, 20th Century-Fox controller, was similarly introduced. Codd said the $100,000 borrowed on June 17 or 18, had been transferred to New York, and that on June 21, 1937, Nicholas M. Shenck, president of Loew's, under a power of attorney from Joseph M. Schenck, paid $135,956 to the United Artists Theatre Circuit, Inc., for rights in life insurance policies on Joseph M. Schenck's life. Codd also told of drawing papers for the loan by Joseph M. Schenck through Arthur W. Stebbins to Bioff.

Expect Broadw Gross Boom Tod After Big Weeke

(*Continued from page* 1)

on "How Green Was My Valley the Rivoli, where the film is doin unusually good business, grossing proximately $28,000 in five days. film opened on Tuesday night an entire proceeds were turned ov the Naval Relief Society, that ning.

"Nothing But the Truth" is too. With the Andrews Sisters Jimmy Long's Orchestra on the s this film at the Paramount The over Saturday and Sunday, grosse estimated $28,000. It is now i second week, and it is expected it will gross about $58,000 for seven days.

"Dumbo," the new Walt Dis RKO picture, is also doing ni grossing about $10,000 over Satu and Sunday. The night busine reported comparatively weaker the matinee trade, but altogether, good.

At the Radio City Music "You'll Never Get Rich" in its se week, grossed about $55,000 Thursday through Sunday, whic not far behind the first week's lar period. It is to be followe Thursday by Universal's "App ment for Love."

'Sgt. York' Good

"Sergeant York" and Phil Spita orchestra had a good Friday-Su weekend estimated at $20,000. show is now in its third week starts a fourth Friday. "Belle S at the Roxy with a stage grossed an estimated $26,000 T day through Sunday and bows Thursday night to make way "Weekend in Havana."

"Target for Tonight" brought Globe an estimated $2,200 Satu and Sunday. The picture is i third week. "Honky Tonk" en five-week run at the Capitol to row night and will be replace "Ladies in Retirement." The miere of Edward Small's "Int tional Lady," originally schedule today, has been postponed to Monday at the Criterion.

In following the usual proce some first runs will have election turns announced from the stage at ular intervals. These will be Paramount, which also will flash turns on the screen between pict when "something substantial" co in; the Roxy, which also will ha bulletin board in the lobby; the St and the Capitol. The Music Hall have a radio in the lounge for t who would care to listen in.

$8,000,000 Para. Bonds Exchang

Approximately $8,000,000 of P mount's 3¼ per cent convertible de tures, or about three-fourths of entire issue outstanding, have offered to date in exchange for company's new four per cent b of 1956, Stanton Griffis, chairma the executive committee, annou yesterday.

The company expects that subs tially all of the old bonds will be changed for the new prior to Monday evening, the expiration of the offer.

et Up New Studio Union Organization

Hollywood, Nov. 3. — The Conference of Studio Unions, to which all I. F. of L. locals having complete autonomy and including the 10 IATSE locals, will be eligible to become members, was formed here today.

The purpose of the conference, according to its constitution, is "to unite motion picture unions for the protection of the automany and democracy each" and "to advance through joint consultation and action the economic welfare of motion picture unions and their members."

The constitution also provides that members of all unions belonging to the conference must respect the picket lines established by other member unions in the event of a strike under penalty of expulsion. Each local will have three representatives on the conference board. Moving Picture Painters Local 644 has formally approved the by-laws and constitution of the conference.

This is the third attempt since 1937 to form an inter-union organization by Hollywood locals.

Majors Get 7 Million Of British Currency

(*Continued from page 1*)

as received less than it is entitled to in the original division of the first payment of unfrozen funds.

The total sum released and remitted represents one quarter of the funds the companies had blocked in England. Another 25 per cent will be released to them April 1, next, completing the release of half of their frozen monies as provided for in the new agreement.

The approximate division of the released money, subject to later audit and adjustment out of the $1,000,000 revolving fund, is as follows: Loew's, $2,000,000; 20th Century-Fox, $1,400,000; Paramount, $920,000; Universal $800,000; United Artists, $750,000; RKO, $485,000; Columbia, $265,000. and Warners, $250,000.

In addition, the companies will receive $5,000,000 per quarter during the ensuing 12 months out of future British earnings under the new agreement.

Edington Contract With RKO Settled

Hollywood, Nov. 3.—A settlement of Harry Edington's two-year contract with RKO, which had but two months more to run, has been effected.

Edington, who first was made executive producer, then producer at RKO, withdrew from the company immediately following the settlement. No announcement of his future plans was made.

Shift Exchange Men

Des Moines, Nov. 13. — Paul Leatherby, booker at the RKO exchange here, has been promoted to booker at Indianapolis, and Robert Leach, head of the shipping department, has been promoted to booker here. Irwin Godwin, assistant shipper, is now head of the shipping department with Melwin Wiese as assistant.

Chicago Exhibitor Files Trust Action

Chicago, Nov. 3.—Thomas A. Murray, former owner of the Thalia here, has filed an anti-trust suit against distribution and theatre companies for $1,000,000 damages in the U. S. District court here.

The action charges that the defendants conspired over a period of years to prevent the booking of first run films by the Thalia with the result that the house eventually was forced to close. The action alleges that the competing Milo Theatre was given booking advantages formerly enjoyed by the Thalia.

Named in the suit are the Balaban & Katz Mid City Theatres, Inc., Paramount Pictures, Inc., Paramount Film Distributing Corp.; Barney Balaban; Morris G. Leonard; Louis Reinheimer; Milo Theatre Corp.; John L. Manta; Frank L. Reif; Van A. Nomikos; Loew's, Inc.; Metro-Goldwyn-Mayer Distributing Corp., 20th Century Fox Film Corp., United Artists Corporation; Warner Bros. Pictures, Inc.; Vitagraph, Inc.; First National Pictures, Inc.; Universal Pictures, Inc.; Universal Film Exchanges, Inc.; Columbia Pictures Corp.; Republic Pictures Corp.; Monogram Pictures, Inc.; Monogram Pictures, Inc. of Illinois; Henri Ellman; Capitol Film Exchange, Inc.; RKO Radio Pictures, Inc., and Publix Great States Theatres, Inc.

Silver Heads WB Pittsburgh Zone

(*Continued from page 1*)

tion and publicity, and Harry Feinstein, his assistant, was placed in charge of booking and buying.

Silver, according to the *International Motion Picture Almanac*, became associated with the industry as bookkeeper with the Moe Mark interests in New England in 1915 and was general manager of the New England Theatres in 1927. In that year, he became general manager of the Stanley-Mark-Strand Corp., and when that company merged with the Stanley Co. of America, became general manager of the merged company. When Warners acquired the Stanley Co. of America, he was assistant to Spyros Skouras. In 1932, Silver was assistant manager in New York to Joseph Bernhard. With Warners' decentralization plan, Silver took over the N. Y. State division of Warner Theatres with headquarters in Albany.

UA Realigns China Sales Organization

Alfred Katz has been named Shanghai branch manager for United Artists, Harry Odell will be manager in Hongkong, and Genady Fryberg manager in Tientsin, all under the supervision of Morey Marcus, newly appointed U.A. general manager in China. The Marcus appointment completes the realignment by Walter Gould, U.A. foreign manager, of the China territory.

Marcus, formerly Far Eastern manager for M-G-M, succeeds Joseph Goltz, who arrived recently for a vacation, and will be given another assignment. Marcus, who will leave shortly via Clipper, will make his headquarters in Shanghai.

Londoners Attend Films on Sundays

London, Nov. 3. — More people in London go to the films on Sunday than did before the war, according to the findings of the London County Council, which used the figure to answer exhibitor requests that the Sunday film tax be lowered.

5-Blocks Topic at Texas Allied Meet

Dallas, Nov. 3.—The block-of-five selling procedure under the consent decree will be the chief subject of discussion at the annual convention of Allied Theatres of Texas, which will be held at the Adolphus Hotel here tomorrow and Wednesday.

Col. H. A. Cole, president of the unit and also president of national Allied, will preside at the meeting. Cole declared here today that he believes the five-block sales method is unpopular with exhibitors, but prefers to give it a six-months' trial before expressing an opinion.

The convention also is expected to hold a discussion of the theatre operating overhead in relation to film costs to the exhibitor. The consent decree and arbitration also are expected to come up for discussion.

Young Succeeds Busch

Hollywood Nov. 3.—Collier Young, who resigned recently as story head at RKO, has been named story editor for Samuel Goldwyn.

'York' Takes Good $9,500, Seattle's Best

Seattle, Nov. 3.—"Sergeant York" at the Orpheum was the best grosser of the week, taking $9,500 at slightly increased price. Other first runs were below recent weeks. The weather was mild and clear.

Estimated receipts for the week ending Oct. 24:

"Nothing But the Truth" (Para.)
"Henry Aldrich for President" (Para.)
BLUE MOUSE—(950) (30c-40c-58c-65c) 7 days, 3rd week. Moved from Paramount. Gross: $3,700. (Average, $4,000)

"A Yank in the R.A.F." (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-58c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)

"Citizen Kane" (RKO)
LIBERTY — (1,800) (30c-40c-50c-65c) 5 days, 2nd week. Gross: $3,900. (Average, $5,000)

"Major Barbara" (U.A.)
MUSIC BOX—(950) (30c-40c-58c-65c) 7 days. Gross: $3,200. (Average, $4,000)

"Sergeant York" (W.B.)
ORPHEUM — (2,456) (30c-40c-58c-65c) 7 days. Gross: $9,500. (Average, $6,000)

"Law of the Tropics" (W.B.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $4,900. (Average, $5,000)

"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
PARAMOUNT — (3,050) (30c-40c-58c) 7 days. Gross: $5,300. (Average, $6,000)

MacEwan Now Producer

Hollywood, Nov. 3.—Walter MacEwan, assistant to Hal B. Wallis, executive producer at Warners, has been named associate producer, with Paul Nathan, formerly MacEwan's assistant, becoming aide to Wallis.



Ten New Films Finished; 39 Now in Work

HOLLYWOOD, Nov. 3.—Thirty-nine pictures were before the cameras this week, as 10 were finished and 10 started. Thirty are being prepared, and 79 are being edited.

The tally by studio:

Columbia

Finished: "The Lady is Willing."
Started: "The Devil's Trail," "Ellery Queen No. 5."

M-G-M

Finished: "Johnny Eager," "Woman of the Year."
In Work: "Joe Smith, American," "China Caravan," "Born to Sing," "Mr. and Mrs. North," "I Married an Angel," "We Were Dancing."

Monogram

Finished: "Borrowed Hero."
In Work: "Riot Squad."
Started: "Lone Star Law Men," "Boy of Mine."

Paramount

In Work: "Dr. Broadway," "The Fleet's In," "The Girl Has Plans" (formerly "The Lady Has Plans").
Started: "This Gun for Hire," "True to the Army."

RKO

In Work: "Syncopation," "Mexican Spitfire at Sea," "Sing Your Worries Away," "Joan of Paris," "Valley of the Sun."
Started: "The Magnificent Ambersons."

Republic

In Work: "Red River Valley," "Lady for a Night," "Mr. District Attorney and the Carter Case."
Started: "West of Cimarron."

Small

Finished: "Twin Beds."
In Work: "Heliotrope Harry."

20th Century-Fox

Finished: "Tales of Manhattan," "Remember the Day."
In Work: "Song of the Islands," "Roxie Hart," "Blue, White and Perfect," "On the Sunny Side," "Son of Fury."

Universal

Finished: "Keep 'Em Flying," "Road Agent."
In Work: "The Panama Kid."
Started: "Destiny," "'Frisco Lil."

Warners

Finished: "Wild Bill Hickok Rides."
In Work: "Arsenic and Old Lace," "Juke Girl," "Always in My Heart."

Vacate Flynn Suit Writ

N. Y. Supreme Court Justice Julius Miller has vacated a levy of attachment obtained against Constancia de la Mora in connection with the $1,000,000 libel suit brought against her, Harcourt Brace & Co., Inc., and Quinn & Boden Co., Inc., by Errol Flynn, actor. Flynn is seeking $1,000,000 damages claiming that de la Mora's book, "In Place of Splendor," stated that Flynn had gone to Spain during the civil war as a publicity stunt.

Riskin Joins M-G-M

HOLLYWOOD, Nov. 3.—Everett Riskin, who resigned recently as an associate producer at Columbia, has joined M-G-M as producer. His first assignment will be "Merrily We Roll Along."

Reviews

"Obliging Young Lady"

(RKO)

Hollywood, Nov. 3

TINY Joan Carroll, as a poor little rich girl fond of putting tacks on chairs for people to sit on, pushing flower pots off window sills and complicating the lives of her adult associates generally, supplies a majority of the numerous laughs generated by this comedy of manners, situations, gags and characters. The film fits into no single category of contemporary product but has a kinship with those early and highly profitable coarse-weaves in which Shirley Temple rose to an all-time peak of box-office magnetism.

Adults who surround Miss Carroll in the picture, not explicitly as support but also as entertainers involved in various complications of their own as her making, are Edmond O'Brien, Ruth Warrick, Eve Arden, Robert Smith, Franklin Pangborn, Marjorie Gateson, John Miljan, George Cleveland, Louis Alberni, Jed Prouty and many more.

The script casts Miss Carroll as a child of rich parents in process of divorce who compete for her custody. Miss Warrick is seen as a lawyer's secretary who spirits the child away to a mountain resort and is followed by an amorous reporter who poses as the child's father until a reconciliation of the parents is achieved. The others in the cast play a variety of comedy character roles which piece out the humor.

Production by Howard Benedict and direction by Richard Wallace are for laughs throughout and, on the basis of a preview, they appeared fairly successful.

Running time, 78 minutes. "G."* ROSCOE WILLIAMS

"Miss Polly"

(Roach-U.A.)

Hollywood, Nov. 3

FOURTH in the Hal Roach series of short length features made expressly for supporting programs on double bills, "Miss Polly" is 44 minutes of riotous clowning, mainly by such veterans as Zasu Pitts, Slim Summerville, and Kathleen Howard, with assistance by Brenda Forbes, Elyse Knox, Dick Clayton, Dink Trout and others.

The standouts are Miss Pitts, as the small town spinster who gets ideas of emancipating the youngsters of the town from the prudish reign of the Civic League, and Summerville, as her gardener who specializes in inventing devices that work disastrously. Fred Guiol's direction makes the most of the opportunities afforded by the script, which leads to a clambering climax. There is no smoothed finish, which may be the subject of patrons' comments. The content, otherwise, is adeptly handled.

The story has the spinster, striving to aid the elopment of the daughter of the town's civic leader, finding inspiration for the deed in a bottle of old wine.

Running time, 44 minutes. "G."* VANCE KING

*"G" denotes general classification.

District Heads of Para. Meet Nov. 21

Barney Balaban, Paramount president, will head the contingent of home office executives who will attend the meeting of the company's district managers at the Drake Hotel, Chicago, Nov. 21 and 22. Neil Agnew, vice-president and general sales manager, will preside.

The company will hold the first trade screening of "Louisiana Purchase" at the Esquire Theatre, Chicago, Nov. 21, in conjunction with the meeting. It will be trade shown in all other exchange cities a week later.

Nessell Supervises Coast Inland Circuit

CHICAGO, Nov. 3.—P. J. Dee, president of the Alliance Theatre Corp., and S. J. Gregory, vice-president and general manager, have returned here following a stay of several weeks in Washington State where they acquired the Inland circuit of 10 theatres from Frederick Mercy, Sr. Ferd Nessell has been transferred from manager of the State, Anderson, Ind., to Walla Walla to supervise the circuit.

Film Library Starts New Historical Cycle

The Museum of Modern Art Film Library on Saturday began the presentation of the second half of its "Cycle of 300 Films," highlighting the history and development of the motion picture from 1895 to 1940.

The first half, which began last June 30, was completed last week. The entire series includes 107 programs. The second half is made up of 45 programs and will continue through January. The programs are shown daily, and twice on Sundays. The programs later will circulate among other museums, colleges, schools and study groups.

Pressburger Here To Prepare New Film

Arnold Pressburger's next production for United Artists release will be "Vitamin for Love," he said on his arrival from the Coast yesterday. The film, a comedy by Frederick Kohner and Joe May, will be directed by Joseph von Sternberg and is expected to start in February. He is here to work on preparations for the new film.

Short Subje Reviews

"The Tell-Tale Heart"

(M-G-M)

REMINISCENT of the s films in its paucity of speech in letting the action largely speak itself, "A Tell-Tale Heart" is a ferent" kind of short. In poin compression, Jules Dassin, the di tor, has skillfully translated a s story to the screen in literal f From a viewpoint of entertainm discriminating audiences will p ably be more impressed than the eral.

The story is Edgar Allen P famous study of the psychological actions of a murderer. Action, spe silences and sound effects in comb tion develop the story and sustai definite mood. Joseph Schildkrau the taunted servant, Roman Boh the brutal master whom he murd The novelty of the film and the na of the author and leading actors merchandising assets. Running t 20 mins. Release, Oct. 25, 1941.

"The Candy Kid"

(Stranger Than Fiction, No. 98)

(Universal)

This exceeds the average of series in interest. The lead sub is an Evanston, Ill., girl who is offi taster for a candy company. O items, each affording a bit of en tainment, are an intricate rock chair with 200 compartments, a station proprietor who performs n riages on the side, a Georgia gra yard with wierd headstones, an Pennsylvania professor who teac co-eds and tames lions. Running ti 9 mins. Release, Oct. 27, 1941.

"Man's Best Friend"

(Walter Lantz Cartune)

(Universal)

Few chuckles are to be had v this, a generally humdrum cart lacking sparkle. It concerns Snoo a hunting dog, and his master, botl whom are almost exhausted afte day's expedition, but only the ma is able to sleep it off as the dog disturbed throughout the night. R ning time, 7 mins. Release, Oct. 1941.

"Water Sports"

(Sports Parade)

(Warners)

This has a spot of burlesque p vided by comic diver Bil Lewin a fair amount of entertainment in assortment of aquatic demonstrati by more graceful performers. Wa skiing and surf board riding, usual, also are a part of the subj matter. Running time, 10 mins. lease Nov. 1, 1941.

"Carioca Serenaders"

(Melody Master)

(Warners)

This is one of the more enjoya musicals dealing in La Conga. Din Rego, accompanied by Humbe Herrera and band, handles some tu ful Latin numbers in a wholly gaging manner. Settings and c tumes give it an authentic atmosph A choice short. Running time, mins. Release, Oct. 25, 1941.

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FCC Not to Delay Chain Regulations

WASHINGTON, Nov. 3. — The Federal Communications Commission is not considering any postponement of the effective date of its recently issued rules and regulations affecting chain broadcasting, Chairman James L. Fly said today.

The new rules, which become effective on Nov. 15, he said will go into effect as ordered regardless of any court action taken by any of the chains.

At the same time Fly revealed that the commission intended to complete all phases of its television studies so that the industry could "go full speed ahead," after the present European conflict is over. The television industry, he said, should be in an excellent position to step in and take up the unemployment slack which will set in during the post war period.

"We want television on the best basis possible," he said, "when the time comes for it to be properly marketed."

The chairman said that he had been encouraged by the progress of the Defense Communications Board in meeting its various problems, and indicated that the industry had been more than helpful in cooperating with Government officials.

2 Venezuela Units Join CBS Network

Two stations in Maracaibo, Venezuela, have joined the CBS Latin American Network, it was announced yesterday. The total of such affiliates is now 74. The stations are YV1RV, on 1,350 k.c. with 250 watts, and YV1RA, on 4,750 k.c. with 250 watts. Both stations plan to start operations on 1,000 watts as soon as construction and engineering work now under way are completed.

Pa. Trust Suit Set For Hearing Nov. 17

PHILADELPHIA, Nov. 3.—The anti-trust suit of Henry Sork and Harry Block, operators of the Rio Theatres upstate in Reading and Schuylkill Haven, has been listed for hearing in U. S. District Court here on Nov. 17. The suit, originally filed on the day the consent decree was handed down, is directed against the major distributors and the Warner and Comerford theatre circuits.

Typesetters Strike At Filmack Trailer

CHICAGO, Nov. 3. — Attempts to unionize typesetters at the Filmack trailer offices here resulted in a strike of nine employes today. Picketing is in progress.

The workers are members of Chicago Typographical Union, No. 16, an independent union which is asking wage increases from $32 to $57 weekly on a sliding scale over two years.

Appeal Patent Verdict

CINCINNATI, Nov. 3.—The Hazeltine Corp., Jersey City, has filed an appeal in the Sixth U. S. Circuit Court of Appeals here from the decree of U. S. District Judge John H. Druffel, who on Aug. 8 last held that the Crosley Corp., had not infringed either of two patents of the plaintiff company.

Film Critics Elect Mishkin President

The New York Film Critics in session at the Artists and Writers Club yesterday elected Leo Miskin of the *Morning Telegraph* president of the organization, to succeed Bosley Crowther of the *Times*. Herbert Cohn of the Brooklyn *Eagle* was reelected secretary, while two new members were admitted, Louis Levitas of *PM* and Milton Meltzer of the *Daily Worker*.

The meeting set Jan. 4 for the critics' annual cocktail party at which a plaque and scroll will be presented to the producer and director of the film which they vote the year's best.

Legion Approves 15 of 18 New Films

The National Legion of Decency has approved 15 of 18 new films, classifying seven as unobjectionable for general patronage and eight as unobjectionable for adults. The remaining three were found objectionable in part. The pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Arizona Cyclone," "Gentleman from Dixie," "The Stork Pays Off," "Target for Tonight," "Three Cockeyed Sailors," "Tonto Basin Outlaws," "Top Sergeant Mulligan." Class A-2, Unobjectionable for Adults—"Jungle Man," "The Miracle Kid," "Moon Over Her Shoulder," "Public Enemies," "Shadow of the Thin Man," "Sundown," "South of Tahiti," "You Belong to Me." Class B, Objectionable in Part —"Blues in the Night," "Three Girls About Town," "Unholy Partners."

Carolina Meet Is Delayed to Jan. 18

CHARLOTTE, N. C., Nov. 3.—The Theatre Owners of North and South Carolina has changed the annual convention dates from Dec. 7 and 8 to Jan. 18-19, according to Mrs. Walter Griffith, secretary. Mrs. Griffith says the dates were changed because of conflict with other meetings in December.

Thomson Resigns Film Society Post

HOLLYWOOD, Nov. 3. — Kenneth Thomson has resigned as executive secretary of the Motion Picture Society for the Americas, to be effective as soon as a successor is selected. Thomson declared he is withdrawing in order to devote all his time to his post as executive secretary of the Screen Actors Guild.

RKO Group Delayed; Due on Coast Today

HOLLYWOOD, Nov. 3. — Its plane grounded by inclement weather at Cheyenne, Wyo., the RKO executive party consisting of Ned Depinet, Charles W. Koerner, Terry Turner and S. Barret McCormick is scheduled to arrive here tomorrow by train.

Increases FM Power

MILWAUKEE, Nov. 3.—The FCC has authorized W55M, the Milwaukee *Journal's* FM station, to increase its power from 1,000 to 3,000 watts. The station will remain on three kilowatts until its new 50,000-watt transmitter at Richfield, Wis., is completed.

Krasna Play Opens At Belasco Tonight

"The Man With Blond Hair," a melodrama by Norman Krasna, opens tonight at the Belasco with Eleanor Lynn, Rex Williams, Curt Conway, Alfred Ryder, Coby Ruskin, Robert Williams and others in the cast. Frank Ross is producer of the play, which Krasna staged.

Minnesota Circuit Personnel Shifted

MINNEAPOLIS, Nov. 3.—A number of changes have been made by John J. Friedl, president of Minnesota Amusement Co. They include:

Frank Sohner, from treasurer, State theatre, Minneopilis, to assistant manager, Paramount, St. Paul; Howell Kadrie, assistant manager, St. Paul Paramount, to manager, Grand Forks, N. D., Paramount; Cecil Thornton, from Uptown, Minneapolis staff, to assistant manager, Minneapolis Rialto; Bud Schmid, from assistant manager, Rialto, to assistant manager, Uptown; Robert James, from assistant manager, Uptown, to assistant manager, Minneapolis Century.

Donald Palmquist, from assistant manager, Century, to manager, Duluth Strand; J. M. Ames, from Sioux Falls, S. D., State, to assistant manager, St. Paul Strand; William Laird, from assistant manager, Urban, Mankato, Minn., to manager, Mankato Time; William Thompson, from assistant manager, Grand Forks Paramount, to manager, Rochester, Minn., Empress; Woodrow Praught, from manager, St. Cloud, Minn., Eastman, to manager, Eau Claire, Wis., O'Klare.

Len Fried, from manager Eau Claire O'Klare, to manager Huron, S. D.; James Eshelman, from manager Huron to manager, St. Paul Paramount; Walter Van Camp, from manager, St. Paul Paramount, to manager, St. Paul Centre; George Aurelius, from manager, St. Paul Centre, to Tucson, Ariz.; Earl Long, from manager, Duluth, Minn., Garrick, to manager, Duluth Norshor; Dan Hudson, from man ager Duluth Strand, to manager Duluth Garrick; Everett Olsen, from manager, Fargo, N. D., State, to manager, Duluth Lyric; Louis Peldo, from manager Grand Forks Paramount, to manager Fargo State.

Crescent Leases Warner Building

NASHVILLE, Nov. 3. — Crescent Amusement Co. today leased the 12-story Warner office building here from Warner Bros. Pictures, Inc., at $25,000 annually for 10 years, with an agreement calling for the construction of a theatre adjacent to the building as soon as conditions make construction materials available.

The lease includes an option permitting Crescent to buy the property at any time prior to nine months before the lease expires on Oct. 31, 1951. In its current anti-trust suit against Crescent, the Government seeks to have the court supervise future acquisitions by the circuit outside of Nashville, but Crescent's local operations are excluded from the Government's aims.

Crosley 9-Month Profit Is $980,368

CINCINNATI, Nov. 3.—The Crosley Corp., operating WLW, WSAI and international short wave station WLWO, and manufacturing radio receiving sets and other electrical appliances, reports a net profit of $980,368 for the first nine months of this year, ending Sept. 30, after a charge of $300,000 in normal Federal income tax, compared with a net loss of $500,910 for the like period of 1940.

Net profit for three months of this year, ending Sept. 30, was $181,733.

Stock Participatio Extended by Mutu

Stock ownership in Mutual been extended, it was announced W. E. Macfarlane, president, to additional stock to six companies, bringing their participation up to equal of the three original sto holders.

The six whose stock holdings w increased includes: Baltimore Ra Show, Inc., WFBR, Baltimore; cinnati Times Star Co., WKRC, cinnati; Colonial Network of N England; Pennsylvania Broadcast Co., Inc., WIP, Philadelphia; Un Broadcasting Co., WHK-WCI Cleveland, and WHKC, Columl O., and WCAE, Inc., WCAE, Pi burgh. The three original stockh ers are Bamberger Broadcasting S vice, Inc., WOR; Don Lee Broadc ing System of California, and WC Inc., WGN, Chicago.

The latest move further extends stock participation move initiated Mutual in September, 1940.

Dale Named NBC Information He

Albert E. Dale, former polit writer and managing editor, named director of the NBC dep ment of information yesterday. announcement was made by N Trammell, president, and it was plained that Frank E. Mason will c tinue as vice-president on leave charge of the department. Maso active in U. S. Navy radio publicity

After serving various New Y papers as legislative correspondent political reporter, Dale joined Hearst organization in 1929 and ser as editor of *Detroit Times, Wisco News, Pittsburgh Sun Telegraph Chicago Evening American.* In 19 Dale was Sund-- editor and manag editor of the *Washington Times H ald,* and in 1940 became director public relations for the Greater N York Fund.

Torres Begins New Infringement Su

HOLLYWOOD, Nov. 3. — Miguel Torres, Mexican film producer, fi another $1,000,000 Federal C plagarism action against Warners day charging that "Juarez" infrin on his "Maximilana y Carlotta" fi made in Mexico and later made English in the U. S. In this s Torres included as co-plaintiffs named IATSE members who, said, had wage interests in his Engl version. Torres said $1,200 in salar remains unpaid as a result of the leged infringement.

Phila. Party Thursda

PHILADELPHIA, Nov. 3.—More th 1,500 are expected to attend a meeti at the Broadwood Hotel here Thu day evening at which the Projection and Theatrical Square Club of N York, Masonic order, will be gue of the Golden Slipper Square Club this city. A special train will bri the members of the theatrical prof sion from New York.

'Village' Appeal Set

The New York State Board of gents on Nov. 12 will hear the app from the censor board ban of the fil "The Forgotten Village."

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ritish K.R.S. ote Against Flat Rent Ban

ject Plan as Contrary To Group's Policy

ONDON, Nov. 4.—The Kinematoph Renters Society (distributors) decided following a discussion not ote a resolution committing mems to book only on percentage. The ussion arose following complaints t certain distributors were perting exhibitors to book on a flat tal basis.

The great majority of KRS mems operate under a verbal agreent not to book on flat rental, but ie do. It was the concensus of nion that it would be contrary to S policy to commit members to a id ruling on trading terms.

The organization also decided not accept the Army Council invitation appoint members to work with Paul mberley, newly appointed director

(Continued on page 4)

rge Television Aid y U.S. for Defense

The appointment of a special Govnment television committee, perhaps ıder the auspices of the FCC, to aid e television industry in its work for ıtional defense, was urged at a conrence yesterday at the office of Norın D. Waters, attended by television dustry representatives.

Such a committee as is recomended would be non-partisan and ɔn-political, having no connection ith commercial television, and would

(Continued on page 8)

Skouras, Agnew to Milwaukee on Deal

Neil F. Agnew, Paramount sales head, left for Milwaukee yesterday with Spyros Skouras, head of National Theatres, to discuss a new season product deal for Fox Wisconsin Theatres. It marks the resumption of negotiations between Paramount and a National unit since Agnew announced last week that Paramount had been unable to get together on terms with Fox West Coast and subsidiaries and planned to sell away.

Complaint Filed by N.J. Theatre Local Board's 27th Case

The New York arbitration board's 27th complaint was filed yesterday by Strand Theatre Operating Co., Plainfield, N. J., against all five consenting companies.

The complaint names the Paramount, Loew's, Branford and Proctor's Palace, all in Newark, as interested parties and asserts that the 14 days' clearance which they are given over the Strand, in Plainfield, is unreasonable. The complainant seeks an award either eliminating the existing clearance or reducing it to one day after the Newark first runs.

Sets New Clearance In Award at Dallas

DALLAS, Nov. 4.—S. J. Hay, arbitrator, ruled in a decision handed down at the local arbitration board,

(Continued on page 4)

Examine Coston as Bioff Trial Resumes

James E. Coston, Warner zone manager in Chicago, who testified that William Bioff demanded payments from Chicago theatre operators after the death of Tom Maloy in 1935, will face cross-examination by defense counsel when the trial of Bioff and George E. Browne is resumed in Federal Court this morning.

The time consumed by the Government in rebuttal evidence will depend, in large measure, on the length of the cross-examination. In courtroom circles, it was said that there is a possibility of the evidence being completed this week.

WB, Para. Houses At Odds on 'York'

It is reported in authoritative trade circles that Warner Bros. and Paramount's theatre partners are at an impasse over terms for "Sergeant York." RKO, in the meantime, has purchased the film for showing in all of its metropolitan New York theatres, beginning Nov. 20, Thanksgiving Day. RKO has agreed to raise the box-office scales to 40 cents, matinees and 55 cents at night, to play the picture single, and give it minimum playing time of seven days, Warners announce.

'U' Sales Meet in Chicago Saturday, New York on Nov. 14

William A. Scully, vice-president and general sales manager of Universal, has called a special sales meeting of the company's Western district and branch managers for the Blackstone Hotel, Chicago, Saturday and Sunday.

A similar meeting for the Eastern forces will be held here Nov. 14-16. Scully said the meetings are to acquaint the sales force with the quality of new product and properties acquired since the program was originally announced earlier in the year.

Nate J. Blumberg, president, will head a home office group including: Matthew Fox, J. J. O'Connor, E. T. Gomersall, Fred Meyers, F. J. A.

(Continued on page 4)

Metro's Exhibitor Forum In Columbus on Nov. 25

M-G-M will hold its first exhibitor forum at the Deshler-Wallick Hotel, Columbus, O., Nov. 25, immediately preceding the annual convention of the ITO of Ohio, which opens the following day at the same hotel.

The invitations are going out to all exhibitors in the Indianapolis, Cleveland and Cincinnati territories. The purpose of the meeting is to discuss ways of increasing theatre patronage.

The meeting will feature William A. Greene of the Bureau of Advertising of the American Newspaper Publishers Association, speaking on "Good Newspaper Advertising." Gov. John W. Bricker of Ohio is expected to welcome the delegates. William R. Ferguson, Metro exploitation manager, will talk on "Exploitation Ideas That Work," while members of his staff will display the company's exhibitor aids.

Exhibitor spokesmen scheduled to lead the planned round-table discussion will be Edward Salzberg of Bluefield, W. Va., and Martin Smith of Toledo, O. Representing the Metro sales department will be E. K. O'Shea, Central division manager; J. J. Maloney and H. P. Wolfberg, district managers, and E. M. Booth, Cincinnati, and F. D. Drew, Cleveland, branch manager.

H. M. Richey, in charge of exhibitor relations, will conduct the meeting.

Estimate 'U' Net for Year At $4,000,000

Compares to $2,390,772 Profit Last Year

Wall Street sources estimate Universal's earnings for the fiscal year ended Nov. 1 at approximately $4,000,000, before Federal income and excess profits taxes.

The result is believed to be one of the best in the company's history. It compares with net profit of $2,390,772 last year, after Federal taxes, and profit of $1,153,321 for the fiscal year ended Oct. 28, 1939.

For the fiscal year ended Oct. 29, 1938, which was the first report following the inception of the company's present management headed by Nate J. Blumberg, president, Universal reported a loss of $591,178, and for the two preceding fiscal years the company's loss amounted to almost $3,000,000.

The $4,000,000 earnings estimate for

(Continued on page 4)

U.S. Studies Data For Schine Trial

Department of Justice representatives headed by Seymour Simon, assistant U. S. Attorney General, have begun an inspection of majors' home office records, it is reported, for data on trial of the Government's pending anti-trust suit against the Schine Theatres.

Although Columbia, Universal and United Artists are the only distributor defendants in the case, the Department officials are extending their examination of data to the other major companies' files also.

The Government anticipates the setting of a trial date for the Schine suit for early January in U. S. District court at Buffalo.

Paramount Names Third Block of Five

Neil Agnew, Paramount sales head, yesterday announced the company's third block of five films for the new season. Screenings will take place at the exchanges on Dec. 4 and 5.

The films include: "Bahama Passage," "Mr. Bug Goes to Town," Fleischer cartoon feature; "Sullivan's Travels," "No Hands on the Clock" and "Midnight Angel."

New Coward Play Will Open Tonight

Noel Coward's latest play, "Blithe Spirit," opens tonight at the Morosco. The "improbable farce," as it is described, has Clifton Webb, Peggy Wood, Leonora and Mildred Natwick in the featured roles. John C. Wilson produced and staged the show.

Copyright Suit Is Filed in Milwaukee

MILWAUKEE, Nov. 4.—Loew's, Inc., has filed suit in Federal District Court here, charging the Pol-Shil Theatre Corp., with copyright violation in showing "Art Gallery" at the Ogden Theatre without authorization. The plaintiff seeks an order restraining the theatre from further alleged copyright violations and an award of not less than $250 damages.

Form Theatre Firm

SACRAMENTO, Nov. 4.—James E. Bednar of Los Angeles and Louise Hightower, James E. Ludlam, Clayton Straub and Harold H. Straight, all of Santa Barbara, have incorporated the State Theatre of Santa Barbara.

Plans Ottawa Stage Unit

OTTAWA, Nov. 4.—Judson Bernard, representative here of Paramount News, is putting under contract Boyd Hills' 18-piece orchestra, a choir of 20 girls, a trio and a feminine vocalist, which he plans for a stage unit to play theatres in the Ottawa district.



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Personal Mention

JAMES MULVEY, vice-president and Eastern representative of Samuel Goldwyn, Inc., is expected to leave Doctors Hospital at the end of the week after an appendicitis operation.

•

LIEUT. JOHN LEONARD MEAKIN, son of HARDIE MEAKIN, manager of the RKO Keith in Washington, has been transferred to Arlington Cantonment as assistant provost marshal of the Washington Provisional Brigade.

•

HOWARD DIETZ left the Coast last night for the M-G-M home office.

•

ARTHUR A. LEE will leave for Toronto today.

RUDOLPH BERGER, M-G-M district manager in Washington, has become a member of the Rotary Club there. He was presented by CARTER BARRON, zone manager for Loew's.

•

HARRY M. BESSEY, secretary-treasurer of Altec Service Corp., has returned from a month's trip through the Midwest and to the Coast.

•

LEO BONOFF, exhibitor of Saybrook and Madison, Conn., is back at home after a few weeks in Florida.

•

AL GOLDBERG, manager of the Liberty Theatre, Manhattan, and RUTH SABLOTSKY were married yesterday.

Wisconsin Meeting Hears Plea for Unity

MILWAUKEE, Nov. 4.—Discussions from the floor on insurance re-rating, priorities, the consent decree and the Federal defense tax occupied the major portion of the opening session of the ITPA of Wisconsin and Upper Michigan convention today at the Hotel Schroeder.

A call for unity was sounded by J. E. Flynn, Chicago, district manager of M-G-M, who declared: "One of the fascinating things about our business is that it changes so rapidly and it is certainly apparent many changes are taking place in the business today—changes I cannot help but believe are to be for the benefit of everyone. Certainly the attacks from the outside, as witness the smear campaign recently in Washington, have had a tendency to drive all elements of the industry closer together.

"Thus there is much talk these days of unifying the industry. Strong personalities are striving toward a common objective."

Discussion leaders included F. J. McWilliams, A. C. Berkholz, President William L. Ainsworth, and Secretary Harry Perlewitz.

The convention will conclude tomorrow with the election of officers. S. S. Broidy, general sales manager of Monogram, also addressed today's session.

Waxman Appeals Atlantic City Case

PHILADELPHIA, Nov. 4.—Harry I. Waxman, Atlantic City exhibitor, today filed an appeal in the U. S. Circuit Court of Appeals here in his antitrust suit against Columbia, Warner Theatres and Weiland Lewis Circuit.

The appeal is on the motion for an injunction denied by Federal Judge Guy K. Bard in the U. S. District Court last September. The action involves clearance and run on Columbia product in Atlantic City. Waxman's theatres are the Hollywood and Astor there.

Seeks 306 Nomination

Herman Gelber, recording secretary of Local 306 for more than six years, is a candidate for the nomination as president of the operators' union, opposing Joseph D. Basson.

Texas Allied Talks Decree Operation

DALLAS, Nov. 4.—An explanation of the operation of the consent decree by Pete Wood, business manager of the ITO of Ohio, featured the opening day's session of the annual convention of Allied of Texas at the Adolphus Hotel here today.

Following reports by H. A. Cole, president, and A. W. Lilly, treasurer, addresses were made by Arthur Kelly, operating head of United Artists; H. M. Richey, in charge of exhibitor relations for M-G-M, and George Dembow of National Screen Service.

The united effort of every branch of the industry is necessary to achieve profit and security, the convention was told by Richey, who stressed the need for unity and a better understanding within the industry.

Extra effort by exhibitors is required in the merchandising of films, Richey declared, and in pointing out the value of assistance to small town exhibitors in exploitation, he cited the use of the new "Show Builder" units being placed in operation by M-G-M.

Tomorrow's concluding session will feature a round-table discussion on the decree, block-of-five selling and other problems, with the election of officers closing the meeting.

Ampa Meet Nov. 13 Devoted to Shorts

The Ampa luncheon meeting on Nov. 13 will be devoted to the short subject, and Mrs. Besa Short, organizer and head of the short subjects department for the Interstate Circuit, Dallas, will make the chief address.

Representatives of the short subject departments of the major companies are arranging the program with Vincent Trotta, president of the Ampa. The meeting will be held in the Grand Ballroom of the Hotel Edison.

Canada Circuit Pays Dividend of 40 Cents

MONTREAL, Nov. 4.—United Amusement Corp., Ltd., which owns or has an interest in 25 theatres in Montreal and Quebec Province, has declared a dividend of 40 cents per share, payable Nov. 29 to stockholders of record Nov. 15. The last dividend was in May, 1939, when 30 cents per share was paid. Outstanding shares number 67,708.

Newsreel Parade

AIRPLANE disasters, President Roosevelt urging greater civilian defense effort, and the Army's seizure of the Bendix, N. J., aircraft plant comprise the more important news items. The Army-Notre Dame game stands out among the football games covered. The midweek reels and their contents follow:

MOVIETONE NEWS, No. 17.—Roosevelt proclaims National Defense Week. Army takes over airplane plant in Bendix, N. J. Airplane crashes in Minnesota, Ohio and Ontario. Turkeys in California. R. A. F. and England's King and Queen. American planes in England. Football: Army-Notre Dame, Navy-Pennsylvania, Texas-Southern Methodist.

NEWS OF THE DAY, No. 215.—King and Queen with R. A. F. in England. General de Gaulle inspects tanks. Russo-Japanese boundary agreement. Turkeys in California. Peanut festival in Suffolk, Va. Roosevelt urges more defense effort. R. A. F. cadets in California. Army-Notre Dame, Navy-Pennsylvania football.

PARAMOUNT NEWS, No. 20.—Army ends Bendix, N. J., aircraft strike. Lindbergh and "America First" in New York. Roosevelt on national defense. Duke of Windsor in Dearborn, Michigan; the Duchess in New York. Air tragedies in Ontario and Minnesota. Doll show in Philadelphia. Peanut festival in Virginia. Chimps in Philadelphia zoo with a rowboat. Notre Dame vs. Army, Stanford vs. Santa Clara.

RKO PATHE NEWS, No. 20.—Roosevelt urges defense work. American planes with R. A. F. Student pilots graduate in California. Minnesota and Ontario plane disasters. Duke of Gloucester in Gibraltar. Football: Army-Notre Dame, Navy-Pennsylvania, Minnesota-Northwestern.

UNIVERSAL NEWSREEL, No. 29.—Roosevelt calls for more defense effort. Army seizes plane plant in Bendix, N. J. Air crash in Minnesota. R. A. F. cadets graduate in California. Cruiser launched in Camden, N. J. Chimps and rowboat in Philadelphia zoo. Army-Notre Dame, Minnesota-Northwestern, Harvard-Princeton football.

Joins Trans-Lux Board

Herbert Scheftel, president of Telenews Theatres, Inc., newsreel theatre circuit in the Midwest and on the Coast, has been elected to the board of directors of Trans-Lux Corp. Scheftel is a member of the N. Y. Stock Exchange.

Associates Meet Today

The Motion Picture Associates will hold a luncheon meeting at the Hotel Lincoln today, to complete plans for the annual dinner and dance on Nov. 19. Joseph J. Lee, president, will preside today.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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WILLIAM POWELL • MYRNA LOY
in "SHADOW OF THE THIN MAN"
with Barry Nelson, Donna Reed, Sam Levene,
Alan Baxter, Henry O'Neill, Dickie Hall.
Screen Play by Irving Brecher and Harry
Kurnitz • Directed by Major W. S. VAN
DYKE II • Produced by HUNT STROMBERG
A Metro-Goldwyn-Mayer Picture

MEET YOUR THANKS-GIVING GUESTS!



Oh boy! Your turkey will be on the table, not on the screen!

It's easy as PIE to figure WHY–

360 THEATRES

will enliven the Thanksgiving holidays with day-and-date engagements. (*Act fast! Book it now!*) The first "Thin Man" picture in 2 years and it's brimming with box-office! Happy holidays, America!

William POWELL • Myrna LOY
"SHADOW OF THE THIN MAN"

a picnic for your public–
a banquet for your box-office!

Estimate 'U' Net for Year At $4,000,000

(Continued from page 1)

the 12-month period just ended indicates earnings of $1,250,000 before Federal taxes for the final quarter. Universal reported a net of $2,751,000 for the first three quarters of the last fiscal year.

The company has included in its earnings statements its blocked sterling in Great Britain at prevailing rates of exchange, hence the recent release of 25 per cent of Universal's blocked sterling under the industry's new monetary agreement with the British Treasury, applicable to the report for the last fiscal year, will not affect the annual statement in any way.

Foy Joins Hanson Canadian Company

TORONTO, Nov. 4.—James C. Foy has resigned as general manager of Sovereign Film Distributors, Ltd., to join the new film company of Oscar R. Hanson, who was previously the head of Sovereign, Empire-Universal Films, Sterling Films and other companies controlled by N. L. Nathanson.

A previous resignation from Sovereign was that of George Oullahan, Ontario branch manager, who has joined Hanson. Dewey McCourt and Keith Wilson, theatre managers of Famous Players Canadian Corp., have reseigned as well to take positions with Hanson's Pioneer Films, Ltd., and Foto-Nite Film Distributors, Ltd.

KRS Opposed to Flat Rentals Ban

(Continued from page 1)

general of the council Film Section. The KRS objected to Kimberley's appointment, on which they were not consulted, and point out that distributor representatives are already active on an existing committee, and that while they are willing to cooperate in supplying films, they see no need of further action. The Cinematograph Exhibitors Association has accepted the invitation to appoint members to serve on Kimberley's committee.

Profit Drive Started By Famous Players

TORONTO, Nov. 4.—Famous Players Canadian Corp. has launched a business drive, running from Nov. 3 to the end of the year, for theatre staffs, unit managers and home office workers, with Canadian Government bonds as prizes. The drive will honor J. J Fitzgibbons, president of the circuit. Based on profits, the competition will be among the five divisions into which the theatres have been divided.

Shifts Weekend Prices

CHICAGO, Nov. 4.—The Studio Theatre in the downtown district has adjusted weekend admission prices. Sunday prices, which were 35 cents until 2 P.M., 40 cents until 6:30 P.M., and 50 cents thereafter, are now 40 cents until 2 P.M. and 50 cents thereafter, all plus tax.

Complaint Filed by N.J. Theatre Local Board's 27th Case

(Continued from page 1)

that the existing clearance of 60 to 120 days in favor of the Glenn and Strand, Overton, Texas, over the Overton Theatre is unreasonable and established the maximum clearance at 14 days.

The theatre had asked an award permitting it to play day and date with the Glenn and Strand. The complaint named Loew's, RKO, 20th Century-Fox and Vitagraph.

Boston Arbitrator Reduces Clearance

BOSTON, Nov. 4.—The 28-day clearance of the Strand and Alhambra, Quincy, Mass., over the Weymouth Theatre, Weymouth, was reduced to 21 days in an arbitration award handed down at the local board. Involved in the complaint were Loew's, Paramount, 20th Century-Fox and RKO.

Complaint Dismissed By Board in Atlanta

ATLANTA, Nov. 4.—The clearance complaint of the Parkway Theatre, Miami, operated by Aaron H. Courshon, which named 16 S. A. Lynch-Paramount theatres in Miami as interested parties, has been dismissed by Harold T. Patterson, arbitrator, at the local arbitration board.

Patterson ruled that the existing clearance of the Lynch-Paramount houses over the Parkway is not unreasonable and assessed costs of the case against the complainant. Paramount, Loew's and Vitagraph were named in the complaint. Courshon's Parkway has a second complaint pending here against 14 Wometco theatres in Miami and 20th Century-Fox, also on clearance.

Hearing Starts Today On Baltimore Complaint

WASHINGTON, Nov. 4.—An arbitration hearing will open here tomorrow on the complaint of the Linden Theatre Co., Baltimore, against Metco Theatres, Inc., and Grand Co., Baltimore, and Paramount, RKO and Vitagraph. The complaint is on clearance and is being handled by James V. Hayes and Robert E. Sher, formerly associated with the Department of Justice in the drafting of the consent decree.

Consolidated Film Profit Is $208,758

Consolidated Film Industries, Inc., has reported net profit of $208,758 after taxes for the quarter ended Sept. 30, last, equal to 52 cents per share on the $2 preferred stock. For the nine months ended Sept. 30, the profit was $587,876, equal to $1.47 per share.

In the similar quarter of 1940 the net income was $163,497, or 41 cents per preferred share, and in the nine-month period of last year the profit was $538,265, or $1.34 a preferred share.

Building Indiana Theatre

HUNTINGBURG, Ind., Nov. 4. — A new theatre is being built here for I. R. Murphy, railroad man.

There's Gold —

Sutter Creek, Calif., Nov. 4

INCREASED activity in the gold mines of this vicinity brought an announcement from Tam Pierovich that he will reopen the Sutter Theatre here for performances on Sunday, Tuesday and Friday. Pierovich also operates the Amador Theatre in Sutter Creek.

'U' Sales Meet in Chicago Saturday

(Continued from page 1)

McCarthy, B. B. Kreisler, J. J. Jordon and F. T. Murray. The group will leave for Chicago Friday night by train.

In attendance also will be:

District Manager J. E. Garrison and branch managers Lou Levy, Des Moines; Jack Langan, Kansas City; W. H. Sherman, Omaha, and Harry Hynes, St. Louis.

District Manager A. J. O'Keefe and branch managers Sam Milner, Denver; C. J. Feldman, Los Angeles; R. O. Wilson, Portland; Lon Hoss, San Francisco; C. R. Wade, Salt Lake City, and Foster Blake, Seattle.

District Manager P. F. Rosian and branch managers Harry Young, Cincinnati; E. S. Olsmith, Dallas; L. J. McGinley, Indianapolis; J. E. Hobbs, Oklahoma City, and Jack Bannan, special representative out of Cincinnati.

District Manager M. M. Gottlieb and branch managers Barney Rose, Chicago; Frank Mantzke, Milwaukee; Edward Heiber, Detroit, and L. J. Miller, Minneapolis.

Name Three Officers Of Ruthrauff & Ryan

Frederick C. Bruns, Herschel V. Williams and S. Heagan Bayles have been named vice-presidents of Ruthrauff & Ryan, Inc., advertising agency, by Frederick B. Ryan, president.

Bruns, coming from the Federal Advertising Agency, joined the company as account executive in 1938. Williams supervises the agency's daytime and Canadian radio work, joining the company in 1937, and Bayles is assistant director of the radio department, and has been with the agency since 1931.

3 Join Red Cross Film Service Staff

Lou Guimond, formerly with United Artists; Homer Ellison, formerly with RCA Photophone, and Fred Kislingbury, formerly with Paramount, have joined the staff of the American Red Cross to handle its hospital film service under the direction of Hampton W. Howard. The service provides film entertainment in all Army hospitals. Guimond will be in charge in the East, Ellison in the Midwest and Kislingbury on the Coast, including Alaska.

Reopen Berkeley Theatre

BERKELEY, Cal., Nov. 4. — Under the direction of Arch Bowles, northern California manager of Fox-West Coast, the 1,250-seat Campus has been reopened as the Four Star Campus.

Sale of Loew Stock By Rubin Reported In SEC Summary

WASHINGTON, Nov. 4.—Dispositio of 3,300 shares of Loew's, Inc., com mon stock by J. Robert Rubin, vice president, was reported today by th Securities and Exchange Commissio in its first semi-monthly summary September transactions of corporat officers and directors in the stocks their companies. At the close of th month, Rubin still held 14,415 share of stock.

The SEC summary also carried belated report on Monogram Picture showing that in June the Pathe Inter national Corp. disposed of its Monc gram interest of 65,867 shares of com mon and 6,017 options for commor the latter being canceled.

Among the September transaction reported was the acquisition by Jac L. Warner, vice-president, of 4,40 shares of Warner Bros. common stock bringing his interest to 102,960 share

Atlas Gets RKO Shares

A report on Paramount Picture showed the sale of 10,000 3¼ per cen convertible debentures by the Manu facturers Trust Co., New York, re ducing its holdings to 3,192,800.

In Radio Keith Orpheum, the Atla Corp., Jersey City, acquired 1,40 shares of common, bringing its port folio to 823,423 shares held direct an 268,230 shares held through th American Company.

Other transactions reported include the purchases of 58 shares of Loew' Boston Theatres common stock b Loew's, Inc., giving it a total of 118, 567 shares, and the acquisition of 1 shares of Keith Albee Orpheum com mon stock by Radio Keith Orpheum Corporation, New York, giving it total of 1,205,675 shares.

A report on Columbia Broadcasting System showed that H. Bayard Swop disposed of his 500 shares of Class A common stock held through the Kee waydin Corporation, and Leon Levy Philadelphia, disposed of 518 share of Class B common stock by gift, re ducing his holdings to 40,844 shares.

Grierson to Speak At Review Meeting

John Grierson, Film Commissioner of Canada, will speak at the Nationa Board of Review conference, schedule for the Hotel Pennsylvania here Nov 13-15. His topic will be "The Co operation of the Film Industry Witl the Government Under War Condi tions."

Takes Radio Time

SAN FRANCISCO, Nov. 4.—Herbert Rosener, owner of the Clay and Larkin, showing foreign films exclu sively, has taken a 26-week contrac with KYA for a Sunday night musi and commentary program to advertis his theatre programs.

Form Reel Theatre Firm

SACRAMENTO, Nov. 4. — Southern California Newsreel Theatres, Inc. has been incorporated in Sacrament by five San Franciscans—Fred Herrington, Martin Dinkelspiel, F. R. Rogers, Jean Church and Margaret Gaffney.



WHEN YOU WEAR THE MANTLE OF LEO—





M-G-M presents with joy—

Jeanette MacDonald
Brian Aherne in
"Smilin' Through"

Photographed in Technicolor with Gen
Raymond, Ian Hunter • A Frank Borzag
Production • Screen Play by Donald Ogde
Stewart and John Balderston • Based o
the Play by Jane Cowl and Jane Murfi
Directed by FRANK BORZAG
Produced by VICTOR SAVILL
A Metro-Goldwyn-Mayer Picture

Business is great, thank you. The Friendly Company set out to make the new season a memorable one. The results speak for themselves. We're particularly proud of "Smilin' Through." America adores this love story. How exquisitely it has been told now with Technicolor. And Music! Jeanette MacDonald sings as never before! It is a production that registers with your patrons. And with your box-office. M-G-M is currently topping its all-time high with one glorious entertainment after another. And future releases completed and previewed, in California, assure you that the best is yet to come. **When you wear the mantle of Leo, you're covered with glory and →**



hort Subject eviews

The Trail of the uccaneers"
ariety Views)
niversal)

This spends some time with the ch promenaders at St. Petersburg, a., goes along on a boat race to vana, and finally takes the audience a brief tour of that city. As velogue material, it rates about erage in entertainment. Running ne, 9 mins. Release, undetermined.

What's Cookin' "
Walter Lantz Cartoon)
niversal)

Woody Woodpecker decides to stay me and brave the winter winds nen his neighbors retreat to the uth. His experiences with a hungry line are thereafter the concern of e cartoon, which is generally dull. unning time, 7 mins. Released, Nov. , 1941.

Robinson Crusoe, Jr."
Looney Tune)
Warners)

This is a zany, satirical account of obinson Crusoe's experiences first board ship and then on the island ith his man Friday. With Porky ig as Crusoe, the cartoon has many ugh situations and should amuse. unning time, 7 mins. Release, Oct. 5, 1941.

"The Bug Parade"
Merrie Melodie)
Warners)

Here is a travesty on insects in heir way of life, cleverly contrived or laugh purposes. The Leon Schlesinger cartoon in color is short and snappy and more than adequate to fit the bill. Running time, 7 mins. Release, Oct. 11, 1941.

Omaha Gives 'Truth' Good $9,100 Gross

OMAHA, Nov. 4.—"Nothing But the Truth," dualled with "Bullets for O'Hara," was good for $9,100 at the Omaha. The weather was cold and rainy. Competition was heavy from sports and social events.

Estimated receipts for the week ending Oct. 28-29:

"International Squadron" (W. B.)
"Mexican Spitfire's Baby" (RKO)
BRANDEIS—(1,200) (30c-44c) 7 days. Gross: $4,200. (Average, $4,000)
"Nothing But the Truth" (Para.)
"Bullets for O'Hara" (W. B.)
OMAHA—(2,000) 30c-44c) 7 days. Gross: $9,100. (Average, $6,000)
"Weekend in Havana" (20th-Fox)
"Parson of Panamint" (Para.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,300. (Average, $7,000)
"New Wine" (U. A.)
"A Yank in the RAF" (20th-Fox)
PARAMOUNT—(3,000) (30c-44c) 7 days. "Yank" 2nd week. Gross: $4,300. (Average, $5,000)

K. C. Theatre to Reopen

KANSAS CITY, Nov. 4.—The 2,500-seat Mainstreet Theatre here will reopen Thursday evening, with a stage show and film policy, on continuous run. It has been taken over by Mainstreet Theatre, Inc., headed by Albert Schoenberg. Will J. Harris will direct the stage shows.

Notes from Hollywood

Hollywood, Nov. 4

WILLIAM HAWKS has gone to Mexico City to supervise work of a location unit shooting a 400-year-old religious ceremony there for "The Gilded Pheasant," which he will produce for RKO. . . . BRENDA JOYCE and CORNELL WILDE go into 20th Century-Fox's "You Can't Always Tell." . . . JUDY CANOVA's next picture at Republic will be "Miss Jesse James," in which young BILL SHIRLEY will get a featured role. . . . J. CARROL NAISH and ROSE HOBART have been set for 20th Century-Fox's "A Gentleman at Heart." . . . FRANK CRAVEN has one of the leads in Warners' "In This Our Life," starring BETTE DAVIS, OLIVIA DE HAVILLAND, GEORGE BRENT and DENNIS MORGAN. . . . MARTHA O'DRISCOLL has the feminine lead in "Out of the Frying Pan," ROBERT BENCHLEY vehicle at Paramount.

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Jane Wyman and Jack Carson will play romantic leads in Warners' "The Night Before Christmas," starring Edward G. Robinson. . . . Leslie Charteris is polling members of the "Saint" clubs in this country and England to determine the actor to play "The Saint" role in the pictures the author will produce. . . . With Robert Kent and Virginia Vale in the romantic leads, P. R. C.'s production of "Blonde Comet" got under way this week.

• •

S. P. EAGLE, former European producer, has been made associate producer for BORIS MORROS at 20th Century-Fox on "Tales of Manhattan," . . . DON AMECHE will be in 20th Century-Fox's "My Gal Sal." . . . ORSON WELLES has started shooting on "The Magnificent Ambersons," at RKO-Pathe. Not playing a role himself, WELLES is directing the cast of JOE COTTEN, DOLORES COSTELLO, TIM HOLT, ANNE BAXTER, AGNES MOOREHEAD, RAY COLLINS, ERSKINE SANFORD and RICHARD BENNETT. . . . Paramount will shortly produce "The Glass Key," DASHIELL HAMMETT novel. . . . CHARLES BRACKETT and BILLY WILDER have resumed work on the script of "The Polonaise," which ARTHUR HORNBLOW, JR., will produce for Paramount.

P. R. C. has launched its new series of six westerns, co-starring LEE POWELL and BILL BOYD, the latter a cowboy radio and recording star of Dallas and not to be confused with HARRY SHERMAN'S BILL BOYD, "Hopalong Cassidy." SHERMAN SCOTT is directing the first, "Frontier Marshal," from a script by ODGEN KINGSLEY. . . . PATRICIA DANE has been cast in M-G-M's "Rio Rita" and "Somewhere I'll Find You," the latter a CLARK GABLE vehicle. . . . M-G-M has purchased "Sunday Punch," original by FAY and MICHAEL KANIN.

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Johnny Downs and Gale Storm have been signed for leading roles in "Freckles Comes Home," Monogram picture from the Gene Stratton-Porter story. Lindsley Parsons is the producer. . . . Bernadene Hayes has been set for "This Gun for Hire," Paramount. . . . George Stevens checked in at Columbia to direct "Mr. Twilight," Jean Arthur-Cary Grant starring picture. . . . Paramount has changed the title of "The Morning After," to "Night in New Orleans."

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The KING BROTHERS' next picture for Monogram will be "Unofficially Yours," which PHIL ROSEN will direct. . . . Breaking a precedent, LEON SCHLESINGER has turned to outside sources for material for his cartoons. He has purchased "Horton Hatches the Egg," by DR. SEUSS, author of nonsense poem books, for a "Merrie Melodie" cartoon. . . . EVELYN KEYES goes into the feminine lead of Columbia's "Martin Eden." . . . FREDDY MARTIN'S orchestra and JUNE HAVOC go into "Powder Town," VICTOR MCLAGLEN vehicle at RKO. . . . Paramount has extended the directorial contracts of STUART HEISLER and HUGH BENNETT.

'Truth' at $11,000 Kansas City Best

KANSAS CITY, Nov. 4.—"Nothing But the Truth" was the leader here, with a strong $11,000 at the Newman. "Weekend in Havana" took $3,500 at the Esquire and $5,000 at the Uptown.

Estimated receipts for the week ending Oct. 28-30:

"Weekend in Havana" (20th-Fox)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $3,500. (Average, $2,200)
"Our Wife" (Col.)
"Ladies in Retirement" (Col.)
MIDLAND (3,600) (28c-44c) 6 days. Gross: $6,700. (6-day average, $7,400)
"Nothing But the Truth" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $11,000. (Average, $7,000)
"Sergeant York" (W. B.)
ORPHEUM—(1,900) (40c-55c) 7 days, 4th week. Gross: $5,000. (Average, $5,000)
"Badlands of Dakota" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: The Cappy Barra Boys with Shirley Gay; Harris and Howell; Plato and Jewell; Kathe Joyce; Tom O'Neal, etc. Gross: $6,000. (Average, $6,000)
"Weekend in Havana" (20th-Fox)
UPTOWN—(2,000) (30c-44c) 7 days. Gross: $5,000. (Average, $4,000)

"Truth" Tallies Neat $6,500, New Haven

NEW HAVEN, Nov. 4. — Business held up in spite of the competition of Kay Kyser and his band at the Arena, and a vaudeville show, at the Shubert on Sunday. "Nothing But the Truth" and "Flying Blind" at the Paramount took $6,500. "You'll Never Get Rich" and "Charlie Chan in Rio" grossed $8,900 at the Loew-Poli.

Estimated receipts for the week ending Oct. 30:

"A Yank in the R. A. F." (20th-Fox)
"Private Nurse" (20th-Fox)
COLLEGE—(1,499) (40c-50c) 7 days, 3rd week. Gross: $2,000. (Average, $2,700)
"You'll Never Get Rich" (Col.)
"Charlie Chan in Rio" (20th-Fox)
LOEW-POLI—(3,040) (40c-50c) 7 days. Gross: $8,900. (Average, $8,000)
"Nothing But the Truth" (Para.)
"Flying Blind" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $6,500. (Average, $4,500)
"International Squadron" (W. B.)
"Law of the Tropics" (W. B.)
ROGER SHERMAN—(2,200) (40c-50c) 7 days. Gross: $5,800. (Average, $5,000)

Los Angeles Theatres in Gross Slump

LOS ANGELES, Nov. 4. — Grosses were generally in a slump throughout the city. "Sundown" drew $5,200 in the second week at the 4 Star, and "Weekend in Havana" and "Man at Large" did fairly well at the Chinese and Loew's State.

Estimated receipts for the week ending Oct. 29:

"Weekend in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $11,000. (Average, $12,000)
"Sundown" (Wanger-U. A.)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $5,200. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days. Gross: $9,000.
"The Little Foxes" (RKO)
"A Blonde From Singapore" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 6 days, "Foxes," 3rd week. Gross: $6,500. (Average, $6,500)
"Weekend in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $14,000)
"The Little Foxes" (RKO)
"A Blonde From Singapore" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 6 days. "Foxes" 3rd week. Gross: $6,500. (Average, $7,000)
"Nothing But the Truth" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, 2nd week. Stage: "Floorshow Revels." Gross: $16,500. (Average, $18,000)
"Ladies in Retirement" (Col.)
"Kisses for Breakfast" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $11,500. (Average, $14,000)
"Ladies in Retirement" (Col.)
"Kisses for Breakfast" (W. B.)
WARNER BROS. (DOWNTOWN) (3,400) (33c-44c-55c-75c) 7 days. Gross: $10,900. (Average, $12,000)

Band Units Set Fast Pace in Milwaukee

MILWAUKEE, Nov. 4. — "Married Bachelor" and Johnny Davis' orchestra on the stage at the Wisconsin drew a strong $13,700, while "Blondie in Society" with Henry Busse and his band at the Riverside brought $12,400.

Estimated receipts for the week ending Oct. 29-30:

"Major Barbara" (U.A.)
"Law of the Tropics" (W.B.)
WARNER—(2,400) (30c-40c-55c) 6 days. Gross: $4,000. (Average, $4,500)
"Honky Tonk" (M-G-M)
"The Feminine Touch" (M-G-M)
PALACE—(2,400) (33c-44c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)
"Blondie in Society" (Col.)
RIVERSIDE—(2,700) (30c-40c-50c) 7 days. Stage: Henry Busse. Gross: $12,400. (Average, $6,500)
"A Yank in the R.A.F." (20th-Fox)
"You'll Never Get Rich" (Col.)
STRAND—(1,400) (44c-65c) 7 days. Gross: $1,600. (Average, $1,500)
"Married Bachelor" (M-G-M)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Stage: Johnny Davis. Gross: $13,700. Average, $5,500)

Orders SAG to Court

LOS ANGELES, Nov. 4. — Federal Judge Leon Yankwich has ordered the Screen Actors Guild to show cause Nov. 12 why it should not be restrained from disciplining in any way Leo Morrison, talent agent. Morrison has filed a Superior Court suit against Charles K. Feldman, also an agent for allegedly influencing John Wayne to leave Morrison for representation by Feldman.

Sport Announcers Plan Organization

Twenty-nine New York sports broadcasters met at Toots Schor's yesterday for the purpose of forming an association similar to that of the newspaper writers. With Ted Husing presiding, the meeting appointed a nominating committee of five, comprising Bert Lee, Paul Douglas, Don Dunphy, Stan Lomax and Dave Driscoll, which will report to the next meeting on the election of officers. Present plans call for a meeting every Tuesday with sports personalities as guests.

Two Ask Approval For New Stations

WASHINGTON, Nov. 4.—Applications for construction permits have been filed with the FCC by the Meadville Tribune Broadcasting Co., planning a 1,340-kilocycle, 250-watt station at Meadville, Pa., and the Jacksonville Broadcasting Corp., seeking a 1,270-kilocycle, 5,000-watt station at Jacksonville, Fla.

Requests also were received from Stations WERC, Erie, Pa., for increase of night power from 100 to 250 watts; WMVA, Martinsville, Va., for increase of night power from 100 to 250 watts, and KOB, Albuquerque, N. M., for increase of night power from 25,000 to 50,000 watts.

The commission made public its calendar of hearings for next week, as follows:

Nov. 10: Application of Station KWK, St. Louis, Mo., for change of frequency from 1,380 to 680 kilocycles and increase of power from 5,000 to 50,000 watts.

Nov. 12: Application of Station WTEL, Philadelphia, for change of frequency from 1,340 to 1,490 kilocycles and increase of power from 100 to 250 watts.

Nov. 13: Contesting applications for a 1,370-kilocycle, 100-watt station of High Point Broadcasting Co., High Point, N. C., and Ralph L. Lewis, Greensboro, N. C.

'York' Scores With $27,500, Baltimore

BALTIMORE, Nov. 4.—Business maintained a substantial pace, following a strong weekend. "Sergeant York" tallied $27,500 at the Stanley. "All That Money Can Buy" plus a stage show took $16,000 at the Hippodrome.

Estimated receipts for the week ending Oct. 30:

"Smilin' Through" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $11,500. (Average, $10,000)
"Nothing But the Truth" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 3rd week. Gross: $9,000. (Average, $9,000)
"Week End in Havana" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $10,500. (Average, $7,000)
"Sergeant York" (W. B.)
STANLEY—(3,280) (40c-44c-55c-66c) 7 days, 2nd week. Gross: $27,500. (Average, $12,000)
"All That Money Can Buy" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Tony Pastor and his Orchestra. Gross: $16,000. (Average, $14,000)

Reopen in San Antonio

SAN ANTONIO, Nov. 4.—The Sam Houston Theatre has reopened, with Richard Corneilson as manager.

Showmanship Flashes

Tieup with Wine Firm Aids Run of 'New Wine'

SAN FRANCISCO, Nov. 4.—The reopened United Artists Theatre staged an unusual promotion stunt for the opening of "New Wine," tying up with Petri Wine Co. to send bottle of vintage port to every critic and newspaper columnist in the bay area. Two downtown windows also were arranged, showing stills from the film and a variety of Petri products.

Snow Float Used On 'Serenade' in New Orleans

NEW ORLEANS, Nov. 4.—*To publicize the opening of "Sun Valley Serenade," the Saenger Theatre staged a one-float parade down the city's main street, with beautiful girls mounted on an ice-covered float throwing snowballs of crushed ice to onlookers, who found in them passes and other prizes. The stunt was a success in this snowless metropolis.*

Uses Stagecoach As Bally for 'Dakota'

Sioux Falls, S. D., Nov. 4.—Joseph Floyd, manager of the Hollywood here, went to Pierre, state capital, to borrow the state's only surviving stagecoach for use in exploiting "Badlands of Dakota." Floyd exhibited the coach in front of his theatre during the run of the picture and also paraded it on the main streets, drawn by four horses.

RAF Trainees Assist At Opening of 'Yank'

SAN FRANCISCO, Nov. 4.—Thirty American fliers training for the RAF were quizzed over KFRC, KROW and KGO as ballyhoo for "A Yank in the RAF" at the Fox Theatre here. In the lobby the local Blood Bank solicited donations, to be sent to England for war use, and British societies and all American fliers in the area were opening night guests. The *Daily News* cooperated in staging a model plane contest for youngsters.

Betty Grable Doubles Contest Used on 'RAF'

UTICA, Nov. 4.—*C. C. Gordon of the Olympic Theatre here, on "A Yank in the R.A.F.," ran a Betty Grable double contest, shopping around stores, etc. for a likeness. The winner, located in the Utica area, was feted on her staged arrival at the railroad station, with a parade led by Mayor Vincent Corrou from station to the theatre highlighting the ceremonies.*

W.B. Tieup With University On "Died With Boots On"

Warners has arranged a tieup with the University of Kansas on the film, "They Died With Their Boots On." The stunt calls for the University to provide the studio with the stuffed remains of the horse ridden by an officer at General Custer's last stand in the Indian wars. The horse will be shipped about the country in connection with the run of the film.

Graves, Tombstones Are Ballyhoo for Horror Bill

MCADOO, Pa., Nov. 4.—*For a double feature horror program featuring "The Invisible Ghost" and "King of the Zombies" Manager William Elliott of the Palace Theatre set up graves on either side of the lobby with tombstones made out of board over each. Green spotlights were focused on the tombstones at night to produced a wierd effect. The tombstones read "Vietim of the Invisible Ghost."*

Indoor Ski Meet Used For 'Serenade' Promotion

San Francisco, Nov. 4.—Promotion of an indoor ski meet at a downtown warehouse, rented and fitted for the occasion, highlighted the ballyhoo for "Sun Valley Serenade" when it played the Fox Theatre here. Scores of sports enthusiasts and socialites took part, and sports and society columns of four local dailies covered the event, which also was broadcast over KYA.

'Parachute' Opening Tied in With Defense Activities

San Francisco, Nov. 4.—Opening of "Parachute Battalion" at the Golden Gate theatre was tied with western defense activity, with the Army air base at Hamilton Field setting up an enlistment booth in the lobby, and a parachute jumper present with full equipment.

Journalism Class Aids 'Citizen Kane' Opening

GREAT FALLS, Mont., Nov. 4.—Clarence Golder, manager of the new Civic Center Theatre here, arranged a tieup on "Citizen Kane" which included the journalism class of the local high school. The class, under the instructor, covered the opening of the theatre and the film by setting up a "city room" in the lobby of the theatre, and working for the Great Falls *Tribune*.

Three CBC Governors Receive New Terms

OTTAWA, Nov. 4.—J. T. M. Thorson, Minister of National War Services, has announced the reappointment for three-year terms of the three members of the Board of Governors of CBC. Reappointed are J. Wilfred Godfrey and the Rev. Canon W. E. Fuller, both of Halifax, and Adrien Poulet of Quebec City. A vacancy on the board remains unfilled.

Elsa Maxwell to Telecast

Elsa Maxwell has been signed by Telecast Productions, Inc., for sponsored television programs, according to Myron Zobel, president of Telecast. Miss Maxwell will appear in her own show, "The Game."

Urge Television Aid By U.S. for Defense

(*Continued from page* 1)

act as a central clearing house to help the industry perform the maximum accomplishment as a defense communication medium, it was said.

One of the aims of the committee would be to determine the recommendations on priorities for the industry, in view of its defense uses, it was declared.

Attending the meeting at Waters' office were: F. A. D. Andrea, Andrea Co.; Mortimer Loewi, DuMont Co.; Norman Kersta, NBC; Leonard Hole, CBS; D. W. May, General Electric, and representatives of Paramount and WOR.

Raise Rates for 8 NBC Blue Station

Network rates for eight NBC Bl stations will be increased beginni Dec. 3, it was announced yesterd by Edgar Kobak, vice-president charge of Blue network sales. St tions and changes in rates for t standard evening hour (rates f other periods are increased in propo tion) are as follows: WSYR, Syr cuse, from $220 to $240; WHA Rochester, from $380 to $4 WTCN, Minneapolis and St. Pa from $180 to $220; WSGN, Birmin ham, from $120 to $140; WXY Detroit, from $360 to $400; WCB Baltimore, from $140 to $160; KEC Los Angeles, from $240 to $30 WENR-WLS, Chicago, from $720 $750.

Five daytime power increases ar 10 at night have been granted R Network outlets since last Apr when its current rate card was issue In addition the FCC has authorize 24 additional power increases, one fr quency change and 20 equipment in provements for Red Network station

Five stations have been added to t Red since April. They are: KDK Pittsburgh; WBAL, Baltimor WCRS, Greenwood, S. C.; WHI Bluefield, W. Va.

'Truth' Draws Big $13,700, Cincinna

CINCINNATI, Nov. 4. — "Nothi But the Truth" had a smash $13,7 week at the RKO Palace, and "Inte national Squadron" gave Keith $6,400. "Sergeant York" pulled $6,7 in its fifth week at the RKO Capit at advanced prices.

Estimated receipts for the week en ing Oct. 29-Nov. 1:

"You'll Never Get Rich" (Col.)
RKO ALBEE—(3,300) (33c-40c-50c) days.. Gross: $11,500. (Average, $12,000)
"Nothing But the Truth" (Para.)
RKO PALACE—(2,700) (33c-40c-50c) days. Gross: $13,700. (Average, $10,000)
"The Parson of Panamint" (Para.)
RKO SHUBERT—(2,150) (33c-44c-60c) days. Stage: Mildred Bailey and ac Gross: $10,000. (Average, $10,000)
"Sergeant York" (W. B.)
RKO CAPITOL—(2,000) (44c-50c-60c) days, 5th week. Gross: $6,700. Averag at 33c-40c-50c, $5,500)
"Weekend in Havana" (20th-Fox)
RKO GRAND—(5,000) (33c-40c-50c) days, 2nd week. Gross: $4,300. Averag $5,000)
"Honky Tonk" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) days, 3rd week. Gross: $4,700. (Averag $4,500)
"Gentleman From Dixie" (Mono.)
"Jungle Man" (P.R.C.)
RKO FAMILY—(1,000) (15c-28c) 4 day Gross: $1,100. (Average, $1,200)
"The Bandit Trail" (RKO)
"Charlie Chan in Rio" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 day Gross: $800. (Average, $800)
"International Squadron" (W. B.)
KEITH'S — (1,500) (33c-40c-50c) 7 day Gross: $6,400. (Average, $5,000)

Suspend Grombach

Jean V. Grombach, independe radio program producer, yesterday a nounced the suspension of Grombac Productions, Inc., for the duration the national emergency. Grombach ex plained that he was called into servi a year ago but that his connection wit the service has now been made perma nent.

Remodel Calif. House

HAYWOOD, Cal., Nov. 4.—The Ha ward Theatre, operated by the Golde State Circuit, is being remodeled at cost of $85,000.

"HOW GREEN WAS MY VALLEY"



IT'S THAT LONG **GREEN** AT NEW YORK'S RIVOLI WORLD PREMIERE RUN!

FIRST WEEK-END'S BUSINESS IS BIGGEST OF A RECORD-BREAKING RIVOLI YEAR!

20th CENTURY FOX

Ellery Queen and The Murder Ring is

"TOPS FOR THE SERIES!

—*THE EXHIBITOR*

✓ "Series attains its peak! Rates with the best in its field!"
—*M. P. DAILY*

✓ "Tops predecessors in series. Should please all classes of patronage!"
—*SHOWMEN'S TRADE REVIEW*

✓ "Swell mystery-meller is best of series! Okay for any play date!"
—*FILM DAILY*

RELEASED NOV. 18th

COLUMBIA PICTURES

RALPH BELLAM
as Ellery Queen with
MARGARET LINDSA
as Nikki Porter in

ELLERY QUEE
AND THE
MURDER RIN

with **CHARLEY GRAPEWIN**
Mona Barrie • Paul Hurst • James Burk
Blanche Yurka
Screen play by Eric Taylor and Gertrude Purcell
Story by ELLERY QUEEN • Directed by JAMES HOGA
A COLUMBIA PICTU

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

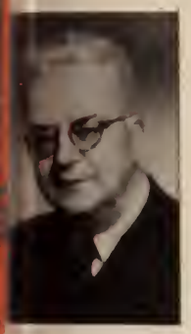
First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 91 NEW YORK, U. S. A., THURSDAY, NOVEMBER 6, 1941 TEN CENTS

Cole Scores Rental Terms As Excessive

Heads Texas Allied for His 19th Term

DALLAS, Nov. 5.—The high film rentals demanded on a percentage basis have made profitable operation of the small town and subsequent run theatre virtually impossible, Col. H. A. Cole, president of Allied of Texas and of national Allied, told members of the organization today at the concluding day's session of the annual convention at the Adolphus Hotel here.



H. A. Cole

The new system of selling in blocks-of-five as required under the terms of the consent decree has brought the average small exhibitor a very serious problem in the operation of his house, Col. Cole declared.

Allied is interested in any plan that

(Continued on page 4)

Associates Charity Fund Totals $1,000

Industry executives and members of the Motion Picture Associates have made personal donations totaling $1,000 to the MPA charity fund, it was announced yesterday by Joseph J. Lee, president of the organization, at a luncheon-meeting at the Hotel Lincoln. Lee urged greater effort on the part of the membership in obtaining advertising contracts for the MPA Journal, one of its chief sources of revenue, issued in conjunction with the annual dinner and dance Nov. 19.

Settlement Reached In Detroit Complaint

DETROIT, Nov. 5.—The clearance complaint of the Gale Theatre, Galesburg, Mich., was dismissed today without prejudice as the parties to the complaint reached a settlement. Respondents were Paramount, 20th Century-Fox, Loew's and Warners and Butterfield Kalamazoo theatres.

The Booth Theatre case hearing, scheduled before the local board tomorrow, has been adjourned to Dec. 2.

Wis. Court Affirms Bank Night Lottery

Milwaukee, Nov. 5.—The Wisconsin State Supreme Court has reaffirmed its decision holding Bank Night to be a lottery, in dismissing a suit for $1,007.50 brought by Affiliated Enterprises, Inc., Denver, against the Miner Amusement Corp., Rice Lake, Wis., for alleged failure to pay fees on the chance game.

Wis. ITPA Would Aid Minn. Allied

MILWAUKEE, Nov. 5.—The I. T. P. A. of Wisconsin and Upper Michigan convention today authorized the organization's board of directors to ascertain from officers and directors of Northwest Allied at Minneapolis what action the latter would like the Wisconsin organization to take in aiding them in their anti-consent decree activities.

The action is believed to have been the result of widespread reports in Wisconsin that some Minnesota theatres may be forced to close for lack of product if relief is not forthcoming soon. Only four major companies are selling in Minnesota because of the state's anti-block-of-five law, sponsored by Northwest Allied. The board was authorized to act in accordance with the response from Northwest Allied.

The convention renamed W. L. Ainsworth president; A. C. Gutenberg, vice-president; A. C. Berkholtz, treasurer, and Harry Perlewitz, business manager. Mark Morgan was elected secretary succeeding Max Krofta. The following directors were

(Continued on page 2)

Minn. Exhibitors Warned to Spread Cancellation Use

MINNEAPOLIS, Nov. 5.—Minnesota exhibitors were warned today by Northwest Allied, sponsor of the Minnesota anti-block-of-five law, that new season film deals which restrict the 20 per cent cancellation right to the lowest price bracket is "illegal" under the state law.

The organization said that such a restriction "obviously tended to defeat the legislative intent of the law," in that the statute was designed to protect the exhibitor from being forced to exhibit pictures injurious or damaging to his business, and the public from pictures "offensive on racial, religious or moral grounds."

The cancellations, it was pointed out, should be made proportionately among the several price brackets when the exhibitor has received notice of

(Continued on page 4)

KAO 39-Week Net Equal to $368,418

Keith Albee Orpheum Corp. and subsidiaries for the 39 weeks ended Oct. 4, last, has reported net profit after all charges of $368,418, which compares with net profit for the similar period last year of $489,259.

Profit for the 1941 period before provision for depreciation and income taxes amounted to $1,021,245, compared to $1,148,766 in the 1940 period. Depreciation was given as $490,962 this year, and $510,597 last year, while income tax provision was set at $161,865 for the 1941 period and $148,910 last year. Federal income tax is based on a rate of 31 per cent this year compared to 24 per cent last year.

Browne-Bioff Case to Go to Jury Today

Summations Are Begun By Defense Attorneys

The Bioff-Browne extortion case in Federal Court is expected to go to the jury some time today. Attorney George Breslin, counsel for Bioff, summed up the case yesterday for his client. Speaking for four hours, and today, Martin Conboy, counsel for George Browne, is expected to make his summation on behalf of the IATSE president.

"The truth has not been told," Breslin told the court as he scored Government witnesses for not "telling the whole truth."

After Conboy makes his appeal to the jury, U. S. Attorney Mathias Correa is scheduled to make the Government's plea, to be followed by Judge John C. Knox's charge.

Breslin declared that there was a "deal" indicated by the evidence but contended that the jury had not received enough of the story to form an opinion beyond "a reasonable doubt."

"We can't deny that Bioff got some money. That's before you," he said.

(Continued on page 2)

Ia.-Neb. Allied Will Convene Nov. 24-25

DES MOINES, Nov. 5.—The Allied-Independent Theatre Owners of Iowa and Nebraska will hold their annual meeting here Nov. 24-25.

Subjects to be considered and acted upon are film rental terms, portable circuits, 16 mm. and free shows, possible increase of membership, election of officers and directors and adoption of a legislative program. Leo F. Wolcott of Eldora, Iowa, is president of the association.

Wobber Leaving On Exchange Trip

Continuing his tour of 20th Century-Fox branches, Herman Wobber, general manager of distribution, leaves here tomorrow for Pittsburgh, Indianapolis, Chicago and Milwaukee.

William C. Gehring, Central division manager, will join Wobber in Indianapolis on Sunday and will accompany him on the trip thereafter. Both are scheduled to return here Wednesday.

15 Pa. Towns Vote Down, 6 Approve Sunday Films

HARRISBURG, Nov. 5.—Partial returns from election districts throughout Pennsylvania available late today showed that proposals to legalize Sunday shows were defeated in 15 communities, townships and counties and were approved in six.

Sunday show proposals were rejected by the following: Uniontown, Lansdale, York, East McKeesport, Aspinwall, Perkasie, Montrose, Avonmore, Scottdale, Suterville, Dunbar, Mill Creek Township, Shade Township and Lebanon and Somerset Counties.

Among those that voted to lift existing bans on Sunday shows were: Ramsey, Clearfield, Green, Milford and Pike counties and Morgan Township.

The comparatively small number of communities voting on the issue at this election was attributed by Rev. William D. Forney, general secretary of the Lord's Day Alliance of Pennsylvania, to the fact that the number of petitions required to place the question on the ballot in any community was increased by the last legislature from five to 20 per cent of the highest number of votes cast for any candidate in the preceding election.

Browne-Bioff Case to Go to Jury Today

(*Continued from page* 1)

During his address to the jury Breslin stressed the fact that none of the industry executives had complained to the proper authorities, or told the stockholders or directors about the payments. He pointed out that Correa himself had started the prosecution.

"Who was it who brought the evidence to the U. S. Attorney?" Breslin asked. "Who was the informer? None of the Government's witnesses brought the matter to the U. S. Attorney."

Breslin, however, ignored Bioff's testimony except to state that his relationship with Joseph M. Schenck indicated that the money was given voluntarily.

Breslin declared it "strange" that Nicholas M. Schenck had never discussed it with his brother, Joseph M. Schenck, or with executives other than Sidney R. Kent. Breslin accused Government witnesses of being "coached" by attorneys before taking the stand and said that they were too "shrewd" to be subject to the type of extortion charged. He declared that there would have been many opportunities to trap Bioff in the five years.

"I can't believe that Bioff, if he was in on an extortion deal, would be running in and out of offices like that, making telephone calls which could be listened to. I can't believe he was that dumb," he said.

The testimony ended unexpectedly soon after court opened with the defense waiving cross-examination of James E. Coston, Warner zone manager in Chicago. Joseph H. Moskowitz took the stand for a few minutes to state that Joseph M. Schenck had made a $202,837 loan to Murray Garsson and himself on Nov. 4, 1937. Garsson purchased $130,000 worth of 20th Century-Fox stock and Moskowitz, the balance, he testified. Subsequently, Moskowitz said, Garsson's stock was sold for $110,000 and Schenck received the proceeds.

Named "U" Club Head

PITTSBURGH, Nov. 5.—Francis J. Guehl has been elected president of the Universal Club here. Other officers are P. C. Quiter, secretary, and Angelo Marino, treasurer.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Mail Orders Promptly Filled

"A GREAT SHOW"—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Monday. Mats. Sat., Sun. & Tues.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

WATTERSON ROTHACKER, Hollywood vice-president of Quigley Publications, leaves here today on his return to the Coast after a brief stay here.

•

OWEN LIGHTSTONE, manager of the Orpheum Theatre in Montreal, is in town with MRS. LIGHTSTONE.

•

HERMAN MORGAN has returned to his post with Affiliated Theatres in Indianapolis after an illness.

•

WILLIAM KAPOURELAS, former manager of the Family Theatre, Fort Wayne, Ind., has joined the Army. ROGER SCHERER has replaced him.

•

ED KELLEY, former assistant to VIC GAUNLETT, advertising manager for the Hamrick-Evergreen Circuit, Seattle, has returned to his post after a year's service in the Navy.

EARL HUDSON and JACK KEEGAN of United Detroit Theatres will leave for Detroit today.

•

T. NEWMAN LAWLER, member of the O'Brien, Driscoll and Raftery law firm, is the father of a daughter, born on Monday.

•

GERTRUDE MERRIAM of the Managers Round Table department of *Motion Picture Herald* will leave the Park West Hospital today after an appendicitis operation.

•

FRANK M. PHELPS, Warner Theatres labor contact, left yesterday for Boston and Lynn, Mass. He expects to return over the weekend.

•

WILLIAM J. HEENAN, Paramount salesman in Philadelphia, is recovering at Jefferson Hospital after an appendicitis operation.

Bennett President Of Warner Clubs

Martin F. Bennett yesterday was elected president of the National Warner Club by delegates in annual session at the home office. Other officers, all of the home office, are: Bernard Goddman, vice-president; R. A. McGuire, vice-president, membership; Harry Mayer, vice-president, social activities; Ruth Weisberg, vice-president, welfare; F. L. Gates, vice-president, claims; Robert Salomans, treasurer; Sam Wolowitz, assistant treasurer; Stuart H. Aarons, secretary. Elected to the finance committee were Sam Schneider, chairman; Samuel Carlisle, T. J. Martin, and W. S. McDonald.

Ilona Massey Is Hostess at Party

Ilona Massey and Alan Curtis were hosts at a cocktail party at the Stork Club yesterday in observance of the receipt of Miss Massey's first citizenship papers.

Among those present were: Oscar Doob, Si Seadler, Monroe Greenthal, Ernie Emmerling, Colvin Brown, Mr. and Mrs. Terry Ramsaye, Alfred Finestone, Sam Shain, Al Margolies, Arthur Jeffrey, Bruce Cabot, Cecelia Ager, Robert Ritchie, Mr. and Mrs. Charles Moss, Ruth Morrow, Lee Mortimer, Dave Goulding, Herb Golden, David E. Weshner, Marian Rogers.

RKO Fetes Visiting Argentine Solons

Phil Reisman, RKO foreign manager, was host at a cocktail party in the Radio City Music Hall studio yesterday to a group of members of the Argentina Chamber of Deputies who are here on a trade and good-will visit. In addition to the guests of honor, George J. Schaefer, W. G. Van Schmus, Gus Eyssell and R. K. Hawkinson attended.

Warner Party Nov. 21

NEW HAVEN, Nov. 5.—The Warner Club will hold its annual Fall dinner-dance Nov. 21 at Waverly Inn, with Russell Clark as chairman. About 400 are expected to attend.

Wis. ITPA Would Aid Minn. Allied

(*Continued from page* 1)

elected: Charles W. Trampe, George Fischer and Lucille Forbes. Holdovers on the board are: Gutenberg, F. J. McWilliams, Ben Marcus, Morgan, Berkholtz, Ainsworth, John Adler and William Smith.

Sidney Samuelson and Jack Kirsch, members of national Allied's unity committee, explained the unity plan at the final session. They reported the results of their recent meetings with home office distribution executives on the plan.

To Open 'U' Film in Detroit on Nov. 19

Universal will hold the premier of the Abbott and Costello film, "Keep 'Em Flying" at the Fox Theatre here Nov. 19. Making personal appearances will be the two stars, as well as Arthur Lubin, director, and Carol Bruce and Dick Foran, of the cast. Others are expected to be included in the Hollywood contingent.

Working with David Idzal, Fox manager, on preparations for the opening, are Dan Thomas, Robert Moak, Thomas McLeod and John Baker. Universal exploitation and publicity men.

Goldenson, Netter Are in Philadelphia

Leonard Goldenson, in charge of theatre operations for Paramount, and Leon Netter, Paramount Theatres vice-president, are in Philadelphia today on business, after which Goldenson will leave for Detroit to join Sam Dembow, Jr., Paramount theatre executive, in conferences tomorrow with Earl Hudson of United Detroit Theatres and other Paramount partners there.

Siegel En Route East

M. J. Siegel, Republic president, is en route from the Coast to Chicago to attend the company's Midwest quarterly sales meeting there, Nov. 7 and 8. He will come to New York thereafter for a home office visit of several weeks.

'Ships With Wings' Called Spectacular

London, Nov. 5.—"Ships With Wings," produced at Ealing Studios for United Artists release, previewed here today in advance of its West End premiere, is a spectacular production which dramatizes the operations and adventures of the Aircraft Carrier *Ark Royal*, with a personal story interwoven.

Authentic sequences filmed aboard the *Ark Royal* provide exciting entertainment in a documentary vein. There is a vigorous action climax depicting an attack on a Nazi-controlled harbor with accompanying air battles. Despite a thin and indifferent romantic element and slow-paced opening action, the picture has box-office qualities exploitable on both sides of the Atlantic.

Flanagan.

Totman in Feldman Post in Pittsburg

PITTSBURGH, Nov. 5.—James To man has been named advertising ar publicity director for the Warne Pittsburgh zone theatres, succeedin Joseph Feldman, appointed assista to M. A. Silver, zone manager. To man formerly was assistant to Fel man.

The Pittsburgh Variety Club planning a testimonial dinner Harry Kalmine, former zone ma ager, who has been made assista general manager of the Warner ci cuit.

B & K Shifts Policy At Chicago Hous

CHICAGO, Nov. 5.—Charles Cottl manager of the State-Lake Theatr and Miles Concannon, manager of t Roosevelt, have changed places. T latter house will be known as a un exploitation house, with double bil playing there booked over the enti Balaban & Katz circuit as a uni Heretofore combinations have bee broken up for neighborhood runs.

Nate Platt has taken over supe vision of the Roosevelt from Davi Wallerstein, district manager. T Apollo, also a B & K house, wi switch to duals on Nov. 14.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
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ONE

FOOT IN HEAVEN" IS

TOO

GOOD TO MISS!

THREE

HOLDOVERS (Earle, WASHINGTON / Strand, HARTFORD / Boyd, PHILADELPHIA) OUT OF THREE PROVES IT!



FREDRIC MARCH • MARTHA SCOTT
in
'E FOOT IN HEAVEN'
'ULAH BONDI • GENE LOCKHART
'ETH FRASER • HARRY DAVENPORT
HOPE CREWS • GRANT MITCHELL
reen Play by Casey Robinsan
Music by Max Steiner
ected by IRVING RAPPER

GO



GET YOUR DATE SET!

NOW! WARNERS!

King-Trendle FM Station Approved

WASHINGTON, Nov. 5.—Construction of a new 47,300-kilocycle FM station by the King-Trendle Broadcasting Corp., Detroit, and a 1,450-kilocycle, 250-watt standard station by the Coastal Broadcasting Co., Inc., New Bern, N. C., have been authorized by the FCC.

Also approved were the applications of Stations KWBW, Hutchinson, Kans., for increase of power from 100 to 250 watts; WCAZ, Carthage, Ill., for increase of power from 100 to 250 watts; KMYC, Marysville, Cal., for increase of power from 100 to 250 watts, and WFIG, Sumter, S. C., for increase of power from 100 to 250 watts.

The commission designated for hearing the applications of Bob Jones College, Inc., for a new 550-kilocycle, 1,000-watt day station at Cleveland, Tenn.; Herman Radner for a 680-kilocycle, 1,000-watt day station at Dearborn, Mich.; Edward E. Reeder for a 1,560-kilocycle, 250-watt station at Seattle, and Station KPMC, Bakersfield, Cal., for change of frequency to 1,560 kilocycles and increase of power to 10,000 watts.

CBS Net for Third Period $1,397,348

CBS yesterday reported a net profit of $1,397,348 after all deductions for the third period, as compared with $983,867 for the same quarter last year. The first nine-months total was $3,815,434, as compared with $3,477,586 for the same period in 1940.

Net time, talent, line and record sales for the first three-quarters of the year was $31,334,850 as compared with $25,770,665. The board yesterday declared a dividend of 65 cents per share on Class A and B stock payable Dec. 5 to stockholders of record on Nov. 21.

Freedom Committee Hits Refusal of Time

As an outgrowth of last Thursday's broadcast by Mutual of the America First Committee meeting, the Fight for Freedom Committee has protested to the FCC that the network has refused it time to answer the America First speeches.

In response to a request for information by FCC Chairman James L. Fly, Mutual explained yesterday that the network does not originate programs but picks them up from member stations. WOR, in this instance, has denied the Fight for Freedom Committee time to answer, it was explained.

Fight Jurisdiction In FCC-Web Action

The FCC filed a special notice of appearance in Federal Court here yesterday in the injunction suit brought against it by the NBC and CBS to restrain enforcement of the new network regulations. The notice specified that the commission did not concede that the New York court had jurisdiction.

Mutual yesterday also moved to intervene in the suit as "a friend of the court." Mutual favors the new regulations.

Reviews

"A Date With the Falcon"

(RKO)

GEORGE SANDERS again plays the title role in this second "Falcon" picture produced by Howard Benedict and directed by Irving Reis. Formerly he was seen in a number of the "Saint" films, in addition to roles in other pictures.

The "Falcon" is a detective who is as effective charming the ladies as he is in solving crimes. The chief suspense in this story is whether or not he actually will marry his fiance, played by Wendy Barrie, and leave his detective work long enough for a honeymoon. There are a number of delays and she pursues him while he is solving a rather obvious mystery about the disappearance of a chemist who has just perfected a formula for manufacturing imitation diamonds which cannot be distinguished from the genuine.

James Gleason is the chief police detective who blunders in the usual fashion, even arresting twice the "Falcon" and finally is presented with a completely solved case. Allen Jenkins aids the "Falcon" in keeping peace with his fiance and in catching the criminals. Mona Maris is the woman member of the gang. Others in the cast are Victor Kilian, Frank Moran and Alec Craig, who plays the chemist around whom the mystery revolves. Actually, the "Falcon" determines that the murdered man was really a twin brother of the chemist. During the course of his adventures the "Falcon" is captured by the gang and pretends not to be on the side of the police.

The cast did very well with the material presented, but the story was not suitable for more than an average detective picture. What humor there is, is mostly that of situations rather than the type resulting from smart dialogue.

Running time, 63 minutes. "G." M. Q., JR

"Four Jacks and a Jill"

(RKO)

MANY musicals have too little plot; this one has a bit too much, which might be explained by the fact that this is the first picture, as a producer, for John Twist, a screen writer for RKO for nine years. Jack Hively was the director.

Ray Bolger and Anne Shirley have the leading roles. He is very effective when dancing—one routine of a mock prize fight is particularly unusual—and less satisfactory as the romantic hero. She is very attractive in this film and shows considerable development. The several songs she sings are by Mort Greene and Harry Revel and are about average for this type of musical. Chief support is given by Desi Arnaz, who, rather surprisingly, does not sing or dance in this picture; June Havoc who appeared in the play "Pal Joey," performs one number and Jack Durant, also from that play, as her gangster friend.

The "Four Jacks," a small orchestra led by Bolger, fear that they will lose their job in a small tavern because Durant wants to marry their dancer, Miss Havoc. Bolger meets Miss Shirely, who finds a job for the boys after pretending that she is the favorite singer of an exiled king. Arnaz poses as the king, and after a number of complications, leaves with Miss Havoc before the king himself shows up. And by that time Bolger and Miss Shirley have patched up their quarrel.

Running time, 68 minutes. "G."* M. Q., JR.

** "G" denotes general classification.*

Increase Rates on 5 NBC Red Stations

Station improvements and increased coverage have increased rates on five NBC-Red stations, effective Dec. 3, Roy C. Witmer, vice-president in charge of Red sales, will announce today.

The stations and their basic rates are: KARK, Little Rock, from $120 to $140; KMJ, Fresno, $120 to $140; WTAR, Norfolk, $140 to $160; WAVE, Louisville, $200 to $220, and WDAF, Kansas City, $380 to $400.

RCA Third Quarter Profit Is $2,063,671

A net profit for the third quarter ended Sept. 30 of $2,063,671 after all deductions was reported yesterday by RCA. Earnings for the first nine months were reported at $7,370,165 as compared with $5,209,043 last year.

Delay Conn. Allied Meet

NEW HAVEN, Nov. 5.—Allied Theatre Owners of Connecticut has postponed its regular luncheon-meeting from yesterday to next Tuesday, at the Hofbrau Haus. Plans for the state-wide poll on the consent decree will be completed at that time.

Get Exchange Posts

NEW HAVEN, Nov. 5.—Shirley Gerell, formerly with the RKO exchange here as secretary, has been appointed to the M-G-M staff, while Shirley Gordon has the post at the RKO office.

Lloyd Plans 'Spoilers'

Frank Lloyd and Jack Skirball have purchased Rex Beach's "The Spoilers" from Charles Feldman, for production about Dec. 15. Universal will release it. Lee Marcus will be associate producer.

Cole Scores Rental Terms As Excessive

(Continued from page 1)

will bring about an increase of business at the box-office, the exhibitor leader said, "but so far nothing specific and immediate relief has been presented to us. Unless and until such a scheme is in sight, the only recourse for our theatres is to bring film rentals within the possibility of our present income."

Cole Reelected

Cole was reelected for his nineteenth term as president of Texas Allied. Other officers are: A. V. Lilly, secretary-treasurer; Rubi Frels, P. V. Williams, Mrs. Martha McSpadden and R. N. Smith, vice presidents. Directors elected were C. M. Cooper, Will Dorbandt, L. Tidball, H. R. Bisby, M. D. Stewart, Lonnie Legg, B. R. McLendon, J. Ford Taylor, W. J. Chesher and James Golding.

In adopting a resolution approving national Allied's industry unity effort the convention cited Paragraph seven of the unity program as most important, asserting that the subject of Government or other legislative tendencies to supervise the industry should receive immediate attention.

The problem of theatre operating overhead and its relation to what the exhibitor can afford to pay for product was the subject of a round-table discussion this afternoon.

The convention concluded with a banquet and dance in the Century Room of the hotel this evening.

Minn. Allied Warns On Cancellation

(Continued from page 1)

availability, and after he knows something about the pictures. Exhibitors were advised not to agree to accept cancellations until they knew about product and its suitability.

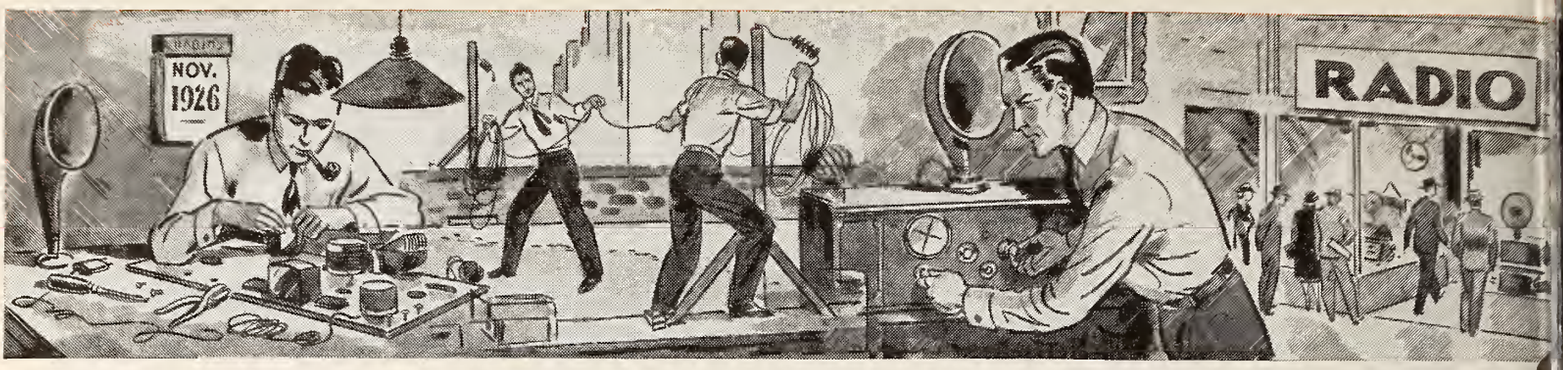
Loew, 20th-Fox and RKO Plan No 'Escape' Plea

Loew's, 20th Century-Fox and RKO have no plans at this time for petitioning the Federal court for release from the sales provisions of the consent decree to permit them to resume selling in Minnesota as was done by Paramount, company representatives said yesterday.

Warners has made no decision yet as to its procedure, a company official stated.

United Artists, which, although not bound by the consent decree, opposed the Minnesota anti-block-of-five law as a bar to its operations in the state and planned to withdraw from Minnesota several weeks ago, is selling its product there now in the customary manner, that is by individual contract for each producer's output, rather than a single contract for all of the company's new season releases. It was the latter method that the company feared at first it might have to adopt in order to comply with the state law.


DREADED . . . A brilliant criminal lawyer . . . maddened by the love of a beautiful woman for another . . . seeks his quarry 'mid the insect infested swamps of the Florida Keys . . . !
MERCY ISLAND
RAY MIDDLETON · GLORIA DICKSON
OTTO KRUGER · DON DOUGLAS · FORRESTER HARVEY
TERRY KILBURN · WILLIAM MORGAN—DIRECTOR · Screen play by Malcolm Stuart Boylan · From the novel "Mercy Island" by Theodore Pratt
A REPUBLIC PICTURE
Buy U. S. Defense Bonds



The Story of Two Novembers...

This is November—and our Birthday Month:
The Fifteenth Birthday of Network Broadcasting
—But this isn't just a story about us.

This story is about some things that grew up with us
Between two Novembers, 15 years apart . . . a story
that's bigger than we are,
And we know it.

It isn't only something on a calendar.

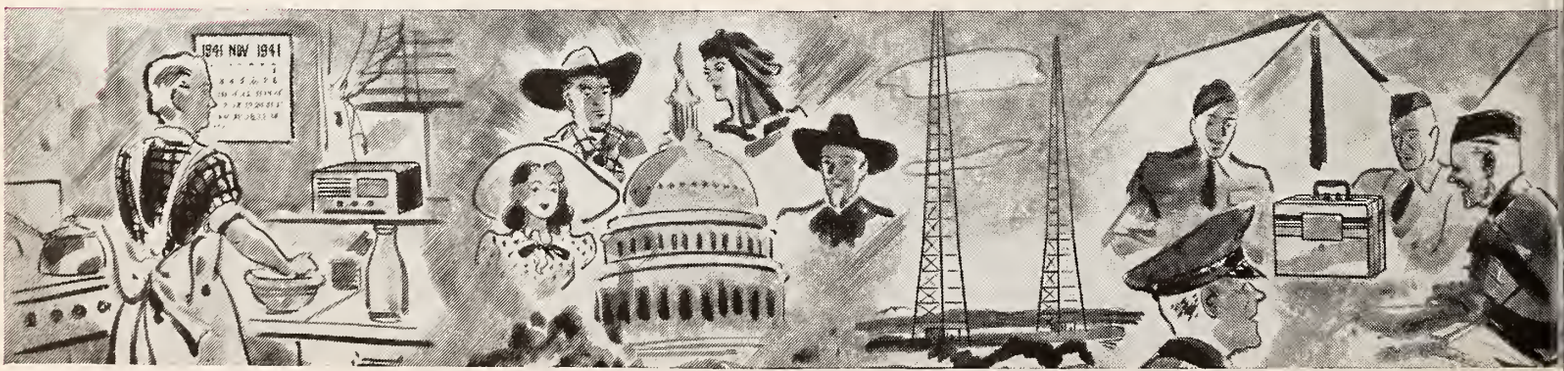
And it isn't the sort of thing that you can analyze
By counting the colored counties on a map.

Though a map's one way to look at it . . .

A map can show you how, for instance,
In nearly every county of America,
We can bring our people together, as into one room
—Out in Montana, down in Rhode Island, across the
plains of Texas—
When the President speaks to the people . . . when
the destiny of the nation rests with the people
. . . or when the people want to be told
The facts that a people should hear.

Yes—and a map can make you feel, perhaps,
How rich and poor, strong, weak, young, old
(But Listeners all!)
Are gathered today into a transcendent unity
Beyond achieving in that other November
15 years ago. We have removed forever
Cracker-barrel sectionalism . . . misunderstandings
between City and City, State and State.
And something has been born that was not here
before.

Other generations may have dreamed
What these last 15 years have made come true:
The pioneer, rolling westward through days of dust
And days of snow,
May have dreamed how some day we should end





The isolation of geography,
Binding New York to Cheyenne with the speed of light: hurtling darkness and storm; and through wind and lightning speaking
From the Atlantic to the Pacific, with

One voice
To one nation
Indivisible!

* * *

But the story isn't only in the maps . . .
It's in the people, after fifteen years.
It's a pattern in the people.

One-fourth of our people have lived with Network Broadcasting
Since the day they were born . . .
And more than a third of us have lived with it
Since we were five years old.

Count *that,* when you measure
The strength, the power, the influence
Of Network Radio today
On the minds of Americans!
It's a pattern in the people . . . Look around you.

It's a pattern in their living: their waking, their working: their leisure and laughter: their dancing and buying. They get up to network radio, and they go to bed to network radio.

It's a habit . . . and you can't erase it.

* * *

During these 15 years, the National Broadcasting Company has become a part of America.

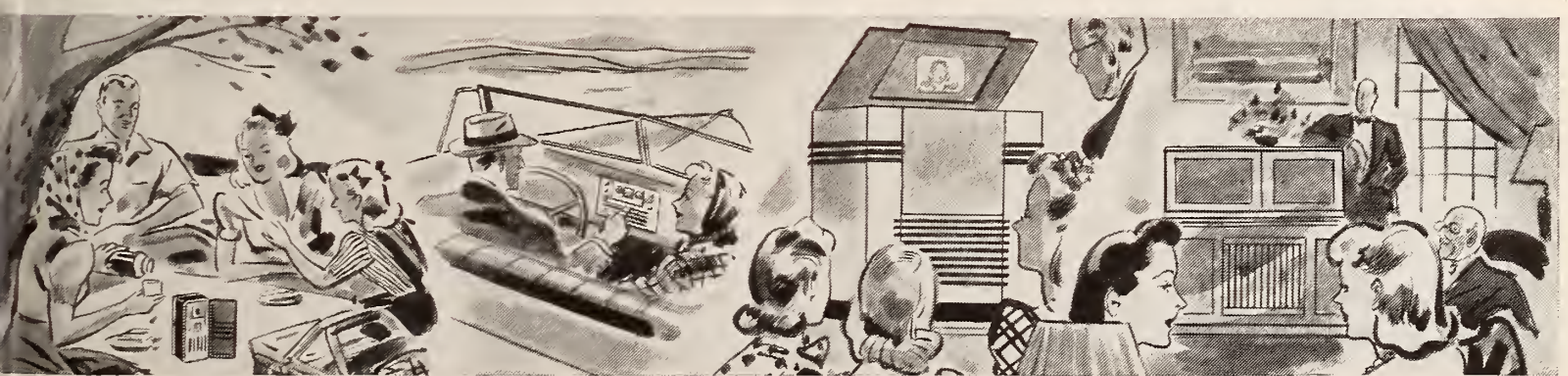
It *belongs.*

Let's say it simply:—

For 15 years, the National Broadcasting Company has been proud of its job. It's been a big job, and we've tried to give our best to it. We must have. For today, as every day since November 15, 1926, more American families listen to NBC programs than to those of any other broadcasting system!

NATIONAL BROADCASTING COMPANY

A Radio Corporation of America Service



SUNDOWN SMASHES

RECORDS OF "FOREIGN CORRESPONDENT"

These are the simple facts. In the first eight popular priced engagements in Los Angeles, Richmond, Norfolk, Milwaukee, Toledo, Dayton, Harrisburg and Reading, SUNDOWN grossed 127% of the previous highs established by Walter Wanger's hit attraction, "Foreign Correspondent"!

WALTER WANGER'S Great Adventu*romance* of Today

SUNDOWN

starring **GENE TIERNEY**

BRUCE CABOT · GEORGE SANDERS · HARRY CAREY · JOSEPH CALLEIA

Reginald Gardiner, Carl Esmond, Marc Lawrence and SIR CEDRIC HARDWICKE

Directed by Henry Hathaway • From the Saturday Evening Post story "Sundown" and screenplay by Barre Lyndon

A HENRY HATHAWAY PRODUCTION

RELEASED THRU UNITED ARTISTS

DO NOT REMOVE

...ert, ...telligent ...nd ...dispensable ...o the Motion ...icture ...ndustry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

...50. NO. 92 NEW YORK, U.S.A., FRIDAY, NOVEMBER 7, 1941 TEN CENTS

Browne, Bioff Guilty as Charged; Face 30 Years

$30,000 Fines Possible; Will Be Sentenced On Wednesday; Judge Knox Refuses Bail, Both Men Are Jailed

George E. Browne, president of the IATSE and until last month a vice-president of the American Federation of Labor, and William Bioff, his personal representative and an IATSE representative as well, were found guilty on all three counts of an extortion indictment by a Federal Court jury last night.

They face maximum sentences of 30 years in jail and $30,000 in fines. Both were remanded to the Federal House of Detention to await sentence from Judge John C. Knox Wednesday. Judge Knox refused pleas of defense counsel to continue bail pending sentence, and likewise denied motions made on 14 grounds to set aside the verdict.

Neither Browne nor Bioff made any statement, although their counsel declared that appeals would be carried to the U. S. Circuit Court of Appeals. The jury received the case at 3:48 P.M. and filed in with its verdict at 6:02.

Judge Knox thanked the jury for its verdict. "To my mind," he said, "you have performed a very excellent job. I want to express both official and personal appreciation and gratitude for the time, attention and thoroughness that you have given in this case. It is a highly important case and I am quite certain your verdict will let fresh air into a lot of homes in this country. Certainly that is something that is eminently desirable. Now, I don't believe that there is a firmer believer in labor unions than myself. All labor will doubtless be glad to have their unions purged of such individuals. If union labor is to endure, it must rid itself of men who stand ready to sell out labor when it suits their purposes."

Both men were led away by the U. S. Marshal, after Judge Knox finished.

Earlier in the day, the defendants

(Continued on page 5)

omedy Note ominates New eason Films

.P. Daily Booking Chart Lists 42 to Xmas

By EUGENE ARNEEL

Producers are concentrating a od share of their attention on the oduction of comedies, it is in-ated by a study of the booking art of MOTION PICTURE DAILY, blished today on page 8.

The definite trend to comedy is shown in the chart's listing of no less than 42 comedies scheduled for release between Oct. 10, last, and Christmas. In addition, others on which

(Continued on page 11)

Six New Plays Will Open on Broadway Within Next Week

Six play openings are slated for the legitimate side of Broadway beginning tomorrow night and running through next Saturday. It appears that the producers are anxious to get under the tape before Thanksgiving. This will bring to 28 the total number of stage offerings on Broadway, provided that in the meantime none of the present crop discontinues.

Tomorrow night's entry will be a comedy by A. N. Langley titled "The Walrus and the Carpenter" at the Cort. Tuesday will bring "Spring Again" at Henry Miller's Theatre. This is a Guthrie McClintic production, written by Isabel Leighton and Bertram Bloch, and co-starring Grace George and C. Aubrey Smith. Mc Clintic also is the director.

On Tuesday comes Shakespeare's "Macbeth," under the sponsorship of Maurice Evans, at the National. Evans and Judith Anderson will have the top roles in the play, directed by Margaret Webster.

"Theatre," by Somerset Maugham and Guy Bolton, will be presented by John Golden at the Hudson Wednesday. The play stars Cornelia Otis Skinner.

Thursday opening will be "Little

(Continued on page 5)

Kalmenson Elected Vitagraph President

Benjamin Kalmenson, Warner general sales manager, has been elected president and a director of Vitagraph, Inc., the Warner distribution company, it was announced yesterday by Harry M. Warner, president of Warners.

It was stated that in his new capacity Kalmenson will be in full charge of Warner distribution in the United States and Canada.

Joseph Bernhard, vice-president of Warners, will act in an advisory capacity in setting up matters of distribution policy, and Kalmenson will consult with him whenever it is deemed necessary, it was stated.

Warners Consider Minn. Escape Plea

Warners sales and legal officials re studying the advisability of mak-g an application to Federal Judge enry W. Goddard for an exemption om the sales provisions of the con-nt decree to permit the company to sume selling in Minnesota as was one by Paramount, a company offi-al said yesterday.

While it was stated that no deci-on had been reached yet, the official aid that the order signed by Judge oddard giving Paramount a Minne-ota exemption from the decree has een under study and a decision may y reached soon.

Loew's, RKO and 20th Century-ox are not considering an exemption pplication at this time, company rep-esentatives assert.

7,841 Theatres Collected $943,684 in U.S.O. Drive

A check for $943,684, representing collections to date from 7,841 theatres for the U. S. O. Drive, was presented to Thomas E. Dewey, chairman of the national U. S. O. Campaign, by Joseph Bernhard, chairman of the theatre drive.

It is anticipated that the theatre collections will aggregate more than $1,000,000 when complete returns are in, since 10,605 theatres were enrolled in the campaign. Collections from 35 theatres amounting to $2,712 are in transit and it is estimated that an additional $60,000 will be received from the remaining 2,729 theatres which have still to report.

A breakdown of the contributions received to date shows that independent theatres, as a group, contributed the largest amount, $492,639 having been remitted by 5,676 independent houses; Paramount was second, remitting $173,133 for 1,151 theatres; Warners, with 470 theatres, was third with $172,141, for the highest average return per theatre.

Fourth place went to 20th Century-Fox's National Theatres, with 451 houses remitting $96,130. RKO remitted $47,099 for 50 theatres outside the New York Metropolitan area, and Loew's remitted $14,450 for 43 houses outside New York. The RKO and Loew's houses in Greater New York

(Continued on page 5)

Valley', 'Soldier' Top Big B'way Mark

Strengthened by brisk business over the weekend and again on Tuesday, Election Day, Broadway grosses this week were substantial in most spots. The Astor, with "The Chocolate Soldier," and the Rivoli, with "How Green Was My Valley," both had standout weeks.

"The Chocolate Soldier," M-G-M musical teaming Nelson Eddy and Rise Stevens, was unusually big at the Astor, with a first week's gross

(Continued on page 5)

Defer Action on Tax On Salary at Source

WASHINGTON, Nov. 6.—The House Ways and Means Committee today temporarily deferred action on the Treasury's request for immediate consideration of revenue legislation which would make a taxpayer out of every employer in the film and radio and other industries.

Treasury officials are not discussing their new tax plans, but committee members disclosed that they include a tax, possibly as high as 15 per cent,

(Continued on page 5)

See No Increase in Quota for Some Time

London, Nov. 6.—It is authoritatively understood here that there will be no increase in the existing quota percentages for some years. No official statement on the matter is expected. The information is believed to indicate the probable attitude of the Government toward any demand of exhibitors for amendment to the existing quota figures.

Selznick Remaining On U.A. Head Talks

With current conferences looking to the naming of a new United Artists president reported to be making satisfactory progress, David O. Selznick has abandoned earlier plans for returning to the Coast this weekend and will remain here another week or 10 days to continue the conversations, it was learned yesterday.

The current conferences, it was said, despite their present promising nature, show no indication of reaching a decisive stage immediately.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CHARLES BOYER • MARGARET SULLAVAN
"APPOINTMENT FOR LOVE"
A Universal Picture
ON THE GREAT STAGE: "AUTUMN LEAVES"—a merry fall festival . . . produced by Leonidoff. Symphony Orchestra, direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Paramount Presents Bob Hope
Paulette Goddard
"NOTHING BUT THE TRUTH"
IN PERSON
THE ANDREWS SISTERS
JOHNNY LONG AND BAND
PARAMOUNT TIMES SQUARE

CARMEN CESAR ALICE JOHN
MIRANDA-ROMERO-FAYE-PAYNE
'WEEK-END in HAVANA'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
Ann Sheridan - Jack Oakie
"NAVY BLUES" plus
"MOON OVER HER SHOULDER"
Lynn Bari

Continuous From 9:30 A.M.
POP. PRICES 35¢ TO 1 P.M.
Children Any Time 26¢
Walt Disney's DUMBO
BROADWAY THEATRE • 53 ST. & B'WAY
Distrib. by RKO Radio
Mezz. Seats Reserved

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows.

Personal Mention

JOSEPH I. BREEN, RKO studio head, is expected to arrive from the Coast today for a home office visit.

•

HOWARD DIETZ, Loew's advertising and publicity director, is due back from the Coast today.

•

ARTHUR W. KELLY will arrive from the Coast this weekend.

•

NORMAN MORAY, short subjects sales head for Warners, returns Monday after a business tour.

DAVID ROSE, Paramount managing director for Great Britain, and JOHN OJERHOLM, head of the company's British laboratory, are expected to arrive from London toward the end of the month.

•

LEO F. SAMUELS, foreign manager for Walt Disney Productions, is recuperating in the Park East Hospital following an operation.

•

LEAH KLAR, formerly Roxy's secretary for many years, has resigned her position with RKO.

Name Committee on Canada Price Rule

TORONTO, Nov. 6.—A committee headed by J. J. Fitzgibbons, president of Famous Players Canadian Corp., was appointed at a meeting of all branches of the industry here to deal with the orders of the Dominion Government pegging admission prices and wages for the duration of the war.

No resolution of protest was drawn up covering either subject, but the committee was empowered to negotiate with the War Time Prices and Trade Board and the Labor Control Board on the developments. General regulations have been received, but the industry has not yet had specific orders for the application of the control, when the theatres would be in a position to present their case.

It is understood the maximum admission order, effective Nov. 17, would not include film rentals. The committee comprises the officers of the Motion Pictures Section of the Toronto Board of Trade, of which N. A. Taylor is president, Louis Rosenfeld of Columbia is vice-president, Harry Alexander represents exhibitors and J. P. O'Loghlin distributors, in addition to Ben Geldsaler of Famous Players, and F. T. Tolchard, Board of Trade secretary.

Indiana ATO Will Meet on Nov. 17-18

INDIANAPOLIS, Nov. 6.—The Associated Theatre Owners of Indiana will hold its 15th annual convention at the Hotel Antler here Nov. 17 and 18. Industry leaders are expected to discuss current exhibition problems.

On Monday evening, Nov. 17, the Variety Club of Indianapolis has arranged a cabaret and supper party. Business sessions will be held on both Monday and Tuesday, and the convention will close with the annual banquet Tuesday evening in the ball room of the hotel.

Cincinnati Club Will Elect Officers Nov. 17

CINCINNATI, Nov. 6.—The local Variety Club will hold its annual election Nov. 17, with installation of officers on Dec. 1.

As a means of stimulating activity in the club, the board of trustees has decided to extend an invitation to members of casts of legitimate shows playing here to attend a midnight lunch in the club's quarters on Friday nights. Club members will participate in the affairs.

Complaint Is Filed With Phila. Board

Philadelphia's fourteenth complaint was filed at the arbitration board there yesterday by Lewen Pizor and Herman Coane, operators of the Colonial Theatre, Phoenixville, Pa.

The complaint names all five consenting companies and seeks a reduction to 21 days of the Colonial's present clearance of 28 days after Philadelphia first runs. The complaint is the second filed by Pizor, a local exhibitor leader and an officer of MPTOA. The first, on behalf of his Tioga Theatre, was withdrawn last week following a settlement.

Services for Einfeld Kin Held Here Today

Funeral services will be held at 11 A.M. today at Universal Chapel, 52nd St. and Lexington Ave., for Samuel Band, 71, father-in-law of S. Charles Einfeld, advertising and publicity director for Warners. Band died Wednesday in New York Hospital after an illness of two months.

He was one of the founders of the steam laundry business in New York. He is survived, in addition to Mrs. Einfeld, by his widow, Annie; two sons, Philip and Emanuel, and two other daughters, Mrs. Sylvia Rosner of Washington, and Mrs. Ruth Silverstein of Flushing.

Leo Braun Funeral Will Be Held Today

Funeral services for Leo Braun, manager of Paramount's film library at the exchange here, will be held at 2 P.M. today at the Cooke Funeral Home, 190th St. and Jerome Ave., with burial following at the Mount Hope Cemetery, Westchester. He had been with Paramount for 22 years.

Braun died Tuesday, which was his 49th birthday, at his home in the Bronx. Surviving are his wife, Mrs. Hattie Martins Braun; a son, Stanford C. Braun; two sisters, Gussie and Sylvia, and two brothers, Charles and Rudolph.

Ostrow Leaves 20th-Fox

HOLLYWOOD, Nov. 6.—Lou Ostrow, associate producer at 20th Century-Fox, will leave the studio this week. Ostrow produced four films for the company.

Cancel 'Chan' Series

HOLLYWOOD, Nov. 6.—A decision to cancel the "Charlie Chan" series with a final one, "Castle in the Desert," was announced by 20th Century-Fox today.

Newsreel Parade

THE weekend issues have a stan out subject in a naval air patr with a North Atlantic convoy. Amo the sports items is the corn huski contest in Tonica, Ill. The reels a their contents:

MOVIETONE NEWS, No. 18—Air pa in North Atlantic. Secretary Knox on pirates" in Virginia. U. S. submarine the Allies in Connecticut. Japanese in Sea tle from Nippon. Corn huskers in Illino Fifth Avenue fashions. Packers-Bea football. Champion horses on Pacific su Roller skating derby in Chicago.

NEWS OF THE DAY, No. 216—Nor Atlantic convoy. Mayor LaGuardia r elected. Soviet war films. Duke of Glouce ter in Gibraltar. East side kids a Duchess of Windsor in New York. Co husking in Illinois. Steeplechase at Be mont.

PARAMOUNT NEWS, No. 21—U. transfers submarines to Allies in Connect cut. British cruiser in Rio port. Co huskers contest in Illinois. Japanese evac ate San Francisco. Mt. Rushmore Mem rial completed. LaGuardia wins third terr Auction metaphysician's estate in Oakdal N. Y. North Atlantic patrol.

RKO PATHE NEWS, No. 21—Nav planes on convoy duty. Allies receive U. subs in Connecticut. Nazi prisoners Russia. New Japanese cabinet. Japane quit San Francisco. Finish Mt. Rushmo Memorial. Corn husking in Illinois. Ska ing derby in Chicago.

UNIVERSAL NEWSREEL, No. 30—Naval air patrol in North Atlantic. Japan ese cargo arrives in Brazil. Washingt troops in review. Fashions in New Yor Chimpanzee and turkeys in Buffalo. Roll skating in Chicago. Corn husking in Ill nois. Steeplechase at Belmont.

Carmer President Of Authors' Guild

Carl Carmer has been elected presi dent of the Authors' Guild for a two year term. Manuel Komroff wa elected vice-president, and Helen Hull, secretary.

Named to the guild council are Bernard DeVoto, Walter D. Edmonds, Henry F. Pringle, Carl Sandburg, Oscar Schisgall, Emma G Sterne, Arthur Train, Jr., Mark Van Doren, Margaret Widdemer, Thyra S. Winslow, Arthur L. Zagat. Guild representatives elected to the Authors League council are: Louis Adamic Stephen Vincent Benet, Elmer Davis, Inez Haynes Irwin, Will Irwin, Dennis T. Lynch, Albert Maltz, William Brown Meloney, Nathaniel Peffer, Oscar Schisgall, Lyman Beecher Stowe, John Vandercook.

MOTION PICTURE DAILY

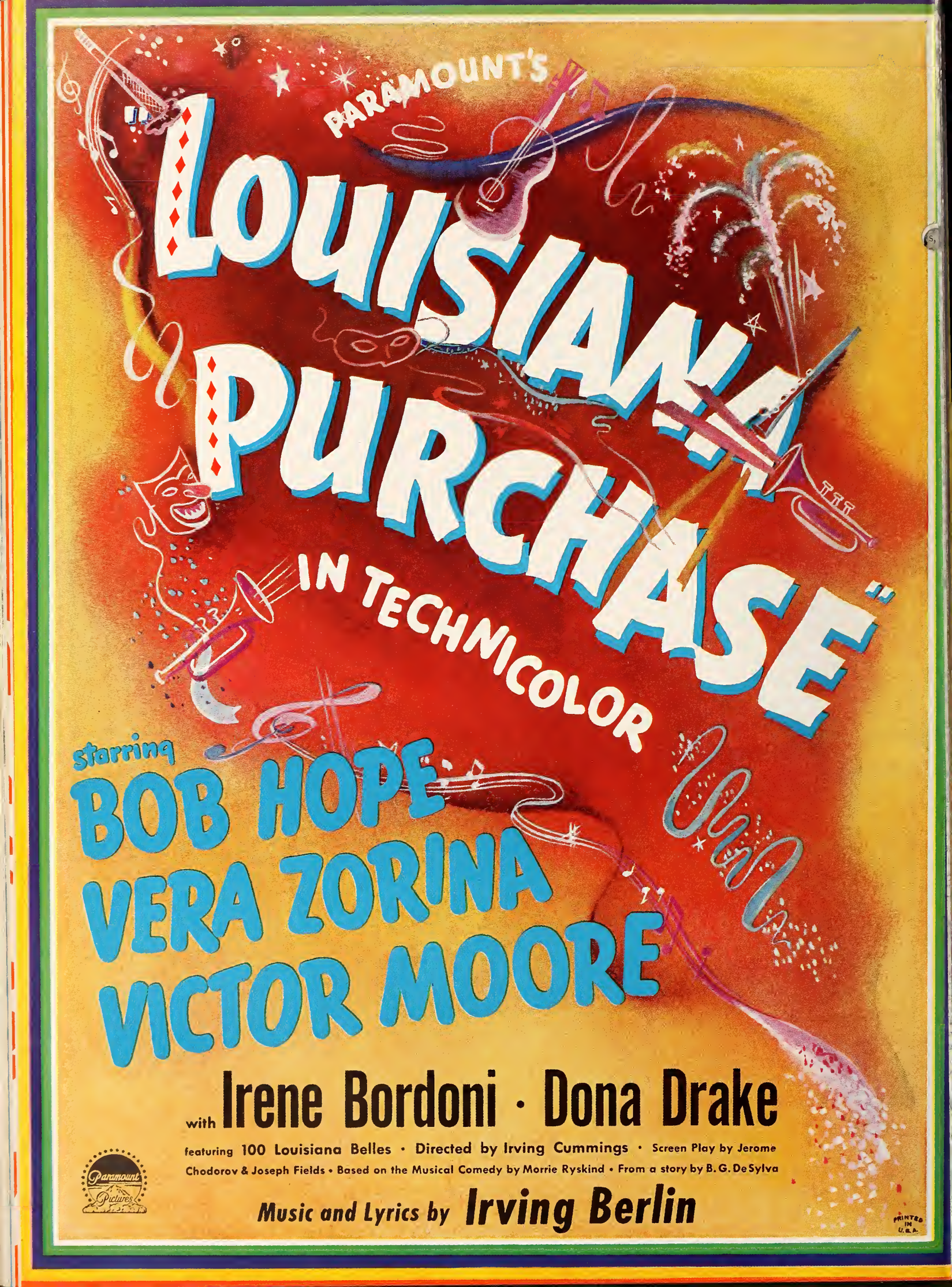
(Registered U. S. Patent Office)

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HAPPY
NEW
YEAR
Celebrate your greatest New Year
in history with the greatest
entertainment in history!
turn page please . . .


PARAMOUNT'S
"LOUISIANA PURCHASE"
IN TECHNICOLOR
starring
BOB HOPE
VERA ZORINA
VICTOR MOORE
with Irene Bordoni · Dona Drake
featuring 100 Louisiana Belles · Directed by Irving Cummings · Screen Play by Jerome Chodorov & Joseph Fields · Based on the Musical Comedy by Morrie Ryskind · From a story by B. G. DeSylva
Music and Lyrics by Irving Berlin
Paramount Pictures
PRINTED IN U.S.A.

Theatres Collected $943,684 for U.S.O.

(Continued from page 1)

participated in the original campaign at the time of the formation of U. S. O. and, therefore, did not take part in the later U. S. O. theatre drive.

RKO Pathe News photographed the presentation of the check to Dewey so that theatre patrons will have an opportunity to learn in the theatre of the results of the drive and their contributions.

Bernhard credited the success of the campaign to the support of the trade papers and to the 31 teams of co-chairmen. Each team was made up of an outstanding exhibitor and branch manager in each of the 31 key cities, who directed the U. S. O. committees in the field. The campaign also was cited as the most successful industry-wide endeavor on record, both in theatre enrollments and in net money raised.

Ed Kuykendall, Martin G. Smith and Nathan Yamins were co-chairmen of the drive. Other officials were: Abe Montague, chairman, distributors' committee; Maurice Kann, chairman, trade paper committee; Herman Robbins, chairman, trailer committee, and Leonard Goldenson and Montague Gowthorpe, treasurers. A. P. Waxman was chairman of the ways and means committee and Harry Goldberg was vice-chairman.

'Valley', 'Soldier' Top Big B'way Mark

(Continued from page 1)

estimated at $18,000. The film starts its second week today. "How Green Was My Valley" for its first week ending Tuesday night rolled up an estimated $40,000.

At the Music Hall, "You'll Never Get Rich" with a stage show ended its second week with an estimated $81,000 and was replaced yesterday by Universal's "Appointment for Love." "Belle Starr" with a stage show at the Roxy had an estimated $41,000 and bowed out last night. "Week-End in Havana" opens today.

"Ladies in Retirement" opened at the Capitol yesterday following the five-week run of "Honky Tonk," which in its last week drew an estimated $16,500. The third week of "Sergeant York" and Phil Spitalny's orchestra at the Strand was good for an estimated $29,500. The show begins its fourth and final week today. "International Squadron" is scheduled to open Nov. 13.

The third week of "Target for Tonight" at the Globe brought an estimated $4,200. The film plays an extra day today and will be replaced tomorrow by "Frightened Lady." "Never Give a Sucker an Even Break" completes its second week at the Rialto tonight with an estimated $5,000 expected. "South of Tahiti" goes in tomorrow.

Discontinue Spaeth Suit

Discontinuance of a $500,000 libel suit brought by Sigmund Spaeth against Warners has been filed in U. S. District Court. No reason for the discontinuance was disclosed. Spaeth claimed a part in the film, "Naughty But Nice," was a take-off which ridiculed him.

Browne, Bioff Guilty on All Counts, Face Thirty Years

(Continued from page 1)

heard Mathias F. Correa, U. S. Attorney, denounce the defense arguments as a series of "spurious issues and red herrings." Correa made pointed and repeated reference to the fact that neither the attorney for Bioff or Browne in summation had adverted to Bioff's testimony that he had acted as "messenger." Correa characterized Bioff as a "raving egomaniac" and said the defendant had taken a "leaf out of Hitler's book in deciding to tell a lie so big some people might believe him."

Correa charged that Bioff himself had urged the companies to use expense vouchers to cover up the extorted payments. "Bioff was writing a little insurance for himself for the day when Browne's power failed. Then it would be blackmail instead of extortion." Carefully tracing the course of the testimony, Correa asserted that it "is my claim that the whole story was concocted after they heard the Government's case."

He said he did not justify the failure of industry executives in not reporting the extortion to the proper authorities but said he could understand it because "they knew they were dealing with the boys from Chicago." As for the social relations, Correa told the jury: "Put yourselves in the place of these men. They had to do with a racketeer—a Chicago hoodlum. What could you do if a Chicago hoodlum came to the house for a cup of tea?"

Correa said that he thought the payment by Joseph M. Schenck of Bioff's transportation to Rio de Janiero and Europe was part of a "petty shakedown," not a gift, and that the $100,000 transaction was not a loan but part of the general extortion pattern. Correa said that he did not know what the stock transaction with Murray W. Garrson was but said it "might have been a tax dodge."

The prosecutor did not spare Browne. He pointed out that Browne brought Bioff into the IATSE and said the union president supplied Harry Beatty as the man to whom Smith & Aller could make payments. Correa noted that the testimony concerning Browne was uncontradicted and that Bioff used Browne's name in extorting money from C. C. Moskowitz.

Judge Knox charged the jury in a steady, low voice. He made little reference to the testimony in the case and concerned himself mainly with the rights of defendants in criminal cases. He charged the jury that if they thought industry executives had bribed the defendants, instead of having the money extorted under threats, then the verdict must be an acquittal.

There was a brief flurry about half an hour after the jury filed out to deliberate but it was found that the jurymen wished to inspect a copy of the indictment. Each count calls for a minimum of one year and a maximum of 10, plus the fines. The sentences may be ordered to run consecutively or concurrently, within the discretion of the judge.

Stockholder Sues W. B. Officials on Bioff Money

Los Angeles, Nov. 6.—A suit to recover from William Bioff $181,000 allegedly paid him by Warner officials was filed in Los Angeles Superior court by Lester Rankin, a Warner stockholder.

The action seeks an accounting from Warner officials preparatory to a recovery of the money from Bioff, which, Rankin's suit charges, was paid the IATSE representative to "prevent physical damage" to Harry M. Warner. Named in the suit in addition to Harry M., Albert and Jack L. Warner, were Joseph Bernhard, Robert W. Perkins, Waddell Catchings, Morris Wolf, Sam E. Morris, Samuel Carlisle, C. S. Guggenheimer, directors, and several "John Does."

Rankin charges that the Warner board of directors authorized the payments and was under the domination of Warner Bros.

Stars at Premiere Of 'Lady' Monday

A number of industry personalities are expected to attend the opening of the Edward Small-United Artists production, "International Lady," at the Criterion Monday night. Among them are Walter Wanger, Lana Turner, Bruce Cabot, Adrienne Ames, Lanny Ross, Hildegarde, Linton Wells, Sheila Barrett, Louis Haywood and Desi Arnaz. Ilona Massey, will make a personal appearance.

Schenck Appeal Dec. 15

Argument of the appeal from a verdict convicting Joseph M. Schenck and Joseph H. Moskowitz of charges of tax evasion was postponed yesterday by the U. S. Circuit Court of Appeals to Dec. 15.

Metro Buys Story

Hollywood, Nov. 6.—M-G-M has acquired film rights to "Shadow of a Lady," unpublished story by the Hungarian writer, Laidslaus Fodor.

'Skylark' to Open Red Cross Center

Paramount's "Skylark" has been selected by the National Red Cross as the picture which will open the Red Cross recreation center at Fort Monmouth, N. J., on Tuesday, Armistice Day. The center is the first of many to be opened for shut-ins. The opening ceremonies at Fort Monmouth will be attended by high Army officials, Red Cross notables and screen personalities.

The film opening was arranged by Hampton W. Howard, director of the Hospital Motion Picture Service for the National Red Cross, as part of a deal whereby major companies will supply films for the recreation centers.

Altec, Roxy in Deal

Altec Service has been appointed to service the sound projection equipment of the Roxy Theatre. Irving Lesser, managing director, and Jerry H. Littenberg, Altec supervisor, negotiated the deal.

Quebec Blackout Set for Tuesday

Montreal, Nov. 6.—The test blackout of Quebec has been scheduled for next Tuesday, Remembrance Day in Canada, from 9:45 to 10:30 P.M. Penalties will be levied for failure to cooperate with the Civil Protection Committee. An important test, it is expected to have an effect on theatre grosses.

Defer Action on Tax On Salary at Source

(Continued from page 1)

on all salaries and wages, to be collected at the source through employers in the same way as Social Security taxes now are collected.

The proposed new system would replace the present one of having taxpayers account for all income after the close of the year. Provision would be made for the deduction of personal exemptions in the computation by employers of the amount of tax to be deducted from pay checks, but details have not yet been made public.

The Treasury is seeking immediate consideration of the proposal so that the new tax could go into effect next Jan. 1. The program also provides for an increase in the Social Security taxes of one per cent each on employer and employe for old-age insurance and the imposition of one per cent on employes for unemployment compensation.

Scope of the program is variously estimated at from $4,500,000,000 to $6,000,000,000 and would run the tax burden of the country up to 18 billion or better. So far as can be ascertained, no consideration is being given to further increases of the admission or other nuisance taxes.

Six Plays to Open On B'way in Week

(Continued from page 1)

Dark Horse," an adaptation by Theresa Helburn of a French play, at the Golden. Donald Blackwell and Raymond Curtis are the producers. Cecelia Loftus and Walter Slezak are in the cast.

Reginald Denham's production of "Play With Fire," by Edward Percy, opens next Saturday at the Longacre. Top billing goes to Henry Hull and Horace MacMahon.

UA Closes Midwest Deals With Circuits

A number of circuit deals have been closed in the Chicago territory on United Artists product, according to Charles Stern, district manager there, reporting to Haskell M. Masters, Western general sales manager. Ben Eisenberg is Chicago branch manager.

The circuits signed include: F. W. Anderson, Reinheimer, Jack Rose, Jacob Lasker, Joseph Stern, Van Nomikas, Essaness, Great States and Warners. A deal also was completed with the Balaban & Katz first run houses in Chicago.

'Business' at $10,900 Gets Denver Lead

DENVER, Nov. 6.—"Unfinished Business" on a dual bill at the Fox Denver drew $10,900, while "Nothing But the Truth" at the Denham in its third week took $8,000.

Estimated receipts for the week ending Oct. 28-31:

"Sergeant York" (W.B.)
ALADDIN—(1,400) (40c-50c-60c) 7 days, 2nd week. Gross: $4,00. (Average, $2,000)
"Lady Be Good" (M-G-M)
"The Gay Falcon" (RKO)
BROADWAY—(1,040) (40c-50c) 7 days, 2nd week. Gross: $2,300. (Average, $2,500)
"Nothing But the Truth" (Para.)
"Flying Blind" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $8,000 (Average, $6,400.
"Unfinished Business" (Univ.)
"Tanks a Milion" (U.A.)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $10,900. (Average, $8,700)
"Honky Tonk" (M-G-M)
"Mexican Spitfire's Baby" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $8,700)
"Never Give a Sucker an Even Break" (Univ.)
"Flying Cadets" (Univ.)
PARAMOUNT—(2200), (25c-40c) 7 days. Gross: $4,800. (Average, $3,800)
"Weekend in Havana" (20th-Fox)
"Blond from Singapore" (Col.)
RIALTO—(900) (25c-40c) 7 days, 3rd week. Gross: $2,500. (Average, $2,100)

Charter Ford Company

SACRAMENTO, Nov. 6.—Articles of incorporation have been filed by Charles E. Ford Productions to produce motion pictures. Directors are Stanley N. Gleis, Mark E. O'Leary and Helen Wells, all of Los Angeles.

Review

"Playmates"

(RKO)

HERE both Kay Kyser and John Barrymore continue with the roles they have been playing in their recent pictures. Kyser is the combination band leader and comedian and Barrymore has a grand time playing Barrymore and making a fool of himself. Although he despises Kyser, Barrymore finds it necesary to attempt to teach him how to play Shakespeare.

David L. Butler, the producer and director, stretched out the situation for over an hour and a half of running time. Some of the early scenes are dull but many audiences will enjoy the comedy, and the five musical sequences, which are worked into the plot with more than usual dexterity, will satisfy all. The two highpoints of the film are a dream sequence in which Kyser is a matador and fights a bull having the head of Barrymore and the finale in which a modernized play of Shakespeare is presented.

The cast includes Patsy Kelly, Barrymore's press agent; Lupe Velez, who dances one number; May Robson, playing Kyser's grandmother; Peter Lind Hayes, George Hayes, featured members of the band—Harry Babbitt, Ish Kabibble, Sully Mason and Ginny Sims, the singer, who does very well, singing in a pleasing manner several songs. "Humpty Dumpty Heart," "How Long Did I Dream," "Thank Your Lucky Stars and Stripes," "Romeo Smith and Juliet Jones" and "Que Chica" are the featured songs.

Running time, 96 minutes. "G."* M. Q. JR.

*"G" denotes general classification.

To Try Stage Shows

NEW HAVEN, Nov. 6.—The 2,348-seat Paramount will have a stage show on Dec. 5, starring Jimmy Lunceford and Bill Robinson. The show is an experiment which may result in occasional vaudeville shows at this house.



'Business,' 'Blues' Set Pace in Detroit

DETROIT, Nov. 6.—"Unfinished Business" and "Great Guns" at the Fox grossed $17,500 during the past week while the Michigan grossed $14,500 with "Navy Blues" and "My Life With Caroline."

Estimated receipts for the week ending Oct. 30:

"A Yank in the R.A.F." (20th-Fox)
"We Go Fast" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $5,500)
"That Hamilton Woman" (U. A.)
"Here Comes Mr. Jordan" (Col.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Unfinished Business" (Univ.)
"Great Guns" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $17,500. (Average, $15,000)
"Navy Blues" (W. B.)
"My Life With Caroline" (RKO)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,500. (Average, $12,000)
"Nothing But the Truth" (Para.)
"Underground" (W. B.)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Wedding Day" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $10,000)

'Truth' and 'York' Big in Indianapolis

INDIANAPOLIS, Nov. 6.—"Nothing But the Truth" and "Buy Me That Town" did $9,500 at the Indiana. "Sergeant York" in its second week at the Circle took the the same sum. The weather was cool.

Estimated receipts for the week ending Oct. 31:

"Sergeant York" (W. B.)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $9,500. (Average, $6,500)
"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $9,560. (Average, $7,000)
"Our Wife" (Col.)
"Ladies in Retirement" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $8,000)
"A Yank in the R.A.F." (20th-Fox)
"Charlie Chan in Rio" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days, 3rd week. Gross: $3,800. (Average, $4,500)

'Falcon' Gets Good $17,000 Philadelphia

PHILADELPHIA, Nov. 6.—With holdovers and second runs dominating the downtown activity, grosses were down. "The Maltese Falcon" led the field, giving the Fox $17,000. "Sergeant York" was strong and "Honky Tonk" at the Boyd drew $15,000 in its third week.

Estimated receipts for the week ended Oct. 28-31:

"Sergeant York" (W. B.)
ALDINE—(1,006) (46c-57c-75c) 7 days, 2nd week. Gross: $14,500. (Average, $9,000)
"When Ladies Meet" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 9 days, 2nd run. Gross: $3,400. (Average, $2,600)
"Smilin' Through" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $13,000)
"Father Takes a Wife" (RKO)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville, including Ted Lewis' orchestra, George Rogers Dancers, Blair Sisters, Jean Blanche, Dorothy Roger, Louise Glenn, June Edwards and Charlie (Snowball) Whittier. Gross: $18,000. (Average, $14,000)
"Three Sons O'Guns" (W. B.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville, including Georgia Sothern, Bert Walton, Ben Yosts Six Mimic Men, Spencer & Foreman, Martin Bros. & Elaine, Gae Foster Roxyettes, Billy Klaiss' orchestra. Gross: $7,600. (Average, $6,900)
"The Maltese Falcon" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $17,000. (Average, $13,000)
"Lydia" (U. A.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,000. (Average, $3,000)
"A Yank in the R.A.F." (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $4,000. Average, $4,500)
"Honky Tonk" (M-G-M)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $15,000. (Average, $14,000)
"Texas" (Col.)
STANTON—(1,700) (35c-46c-57c) 7 days, 2nd week. Gross: $4,500. (Average, $4,500)

'Honky Tonk' Gets $11,500 in Buffalo

BUFFALO, Nov. 6.—A good week found "Honky Tonk" still on top with $11,500 in a second week at the Hippodrome. "The Gay Falcon," aided by vaudeville, took $14,700 at the Twentieth Century.

Estimated receipts for the week ending Nov. 1:

"Belle Starr" (20th-Fox)
"Great Guns" (20th-Fox)
BUFFALO—(3,489) (35c-55c) 7 days. Gross: $10,000. (Average, $12,000)
"When Ladies Meet" (M-G-M)
"Niagara Falls" (M-G-M)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $10,000. (Average, $7,500)
"Honky Tonk" (M-G-M)
HIPPODROME—(2,100) (35c-50c) 7 days, 2nd week. Gross, $11,500. (Average, $6,800)
"The Gay Falcon" (RKO)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. "Pan American Follies" on stage, with Count Berni Vici and orchestra, Meyer Balsom and orchestra, Paul Kirkland & Co., Smith, Rogers & Eddy, Keating & Armfield, Sandy Lang & Co., Danille & Corinne, Mary Pojo, Jack York, Jerry at the Novachord and Charlotte at the electric organ. Gross: $14,700. (Average, $7,500)
"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $9,000. (Average, $6,300)

WB Two-Reelers Planned

HOLLYWOOD, Nov. 6.—Warners will take two series of story properties, formerly used for features, and make them into series of two-reelers. They are the Penrod stories by Booth Tarkington and the Torchy Blane stories by Frederick Nebel. B. Reeves Eason will direct the subjects.

TEAMWORK

ALL three Eastman negative films contribute to the over-all excellence of today's productions. Although they specialize in different fields, they join forces readily because of one important attribute enjoyed in common—unvarying high quality. Eastman Kodak Company, Rochester, N. Y.

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SUPER-XX
when little light is available

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for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 10	Texas (O) *Wm. Holden* *Claire Trevor* (1941-42)	Honky Tonk (D) 204 *Clark Gable* *Lana Turner*	Stolen Paradise (D) Tonto Basin Outlaws (O) (1941-42)	Nothing But the Truth (C) 4101 *Bob Hope* (1941-42)	Jungle Man 126 (D) *Buster Crabbe* (1940-41)	Mercy Island (D) 110 *Ray Middleton* *Gloria Dixon* (1941-42)	Bandit Trail (O) 281 *Tim Holt* (1941-42)	Great Guns (C) 212 Riders of the Purple Sage (1941-42)	New Wine (M) *Ilona Massey* *Alan Curtis* (1941-42)	Never Give a Sucker An Even Break (C) *W. C. Fields* (1941-42)	International Squadron (D) 106 *Ronald Reagan* (1941-42)
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Married Bachelor (C) 205 *Robert Young* *Ruth Hussey*	Top Sergeant Mulligan (D) *Nat Pendleton* (1941-42)		Hard Guy 205 (D) *Jack LaRue* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)	Niagara Falls (C) (Streamliner) *Tom Brown* (1941-42)	Burma Convoy (D) South of Tahiti (D) (1941-42)	The Maltese Falcon (D) 107 *H. Bogart* *Mary Astor* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell* *Binnie Barnes* (1941-42)	Smilin' Through (M) 206 *J. MacDonald* *Gene Raymond*	Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Billy the Kid Wanted 257 (O) *Buster Crabbe* (1941-42)	Gauchos of Eldorado (O) 162 3 Mesquiteers (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Moon Over Her Shoulder (C) 215 *Lynn Bari*		Flying Cadets (D) 6028 *William Gargan* *Edmund Lowe* (1941-42)	
Oct. 31	You Belong to Me (C) *B. Stanwyck* *Henry Fonda* (1941-42)	Feminine Touch (C) 207 *R. Russell* *Don Ameche*	Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray* *Mary Martin* (1941-42)	Mr. Celebrity 114 (D) *Buzzy Henry* *James Seay* (1940-41)	Public Enemies (D) *Philip Terry* *Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)		Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer* *M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March* *Martha Scott* (1941-42)
Nov. 7	The Stork Pays Off (C) *M. Rosenbloom* *Rochelle Hudson* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy* *Rise Stevens*	Siren of the South Seas (Re-issue) (1941-42)	Birth of the Blues (M) 4109 *Crosby-Martin* (1941-42)	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn* *Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers* *Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray* *F. Langford* (1941-42)	Target for Tonight (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson* *Edw. Arnold*			Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry* *Smiley Burnette* (1941-42)	Suspicion (D) 208 *Cary Grant* *Joan Fontaine* (1941-42)	Hot Spot (D) 216 *Grable-Landis* *Vic Mature* (1941-42)	Corsican Brothers (D) Miss Polly (C) (Streamliner) (1941-42)	Paris Calling (D) *Scott-Bergner* (1941-42)	Blues in the Night (M) *Priscilla Lane* *Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young* *Conrad Veidt* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell* *Myrna Loy*	Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen* *McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie* *Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*	Forbidden Trails (O) *Rough Riders* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)		Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez*	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Twin Beds (C) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* *Martha Raye* (1941-42)	
Dec. 5	Sing for Your Supper (C) *J. Falkenburg* *Buddy Rogers* (1941-42)		Borrowed Hero (D) *Florence Rice* (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* *Jack La Rue* (1941-42)			Swamp Water (D) 218 *Huston-Brennan* *Dana Andrews* (1941-42)		Don't Get Personal (C) *Hugh Herbert* (1941-42)	
Dec. 12	Honolulu Lu (D) *Lupe Velez* *Leo Carrillo* (1941-42)		Boy of Mine (D) *John Boles* (1941-42)		Billy the Kid's Round-Up (O) 258 *Buster Crabbe* (1941-42)	Behind Broadway Lights (D) *James Ellison* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche* *Joan Bennett* (1941-42)		Destiny (D) *Claude Rains* *Bela Lugosi* (1941-42)	
Dec. 19	Bedtime Story (C) *Fredric March* *Loretta Young* (1941-42)		Riot Squad (D) *R. Cromwell* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	Red River Valley (O) *Roy Rogers* *Gabby Hayes* (1941-42)		Perfect Snob (C) 223 *Lynn Bari* *Cornell Wilde* (1941-42)		Melody Lane (C) Road Agents (D) (1941-42)	
Dec. 25	Harvard, Here I Come (C) *M. Rosenbloom* (1941-42)				Blonde Comet (D) *Virginia Vale* *Robert Kent* (1940-41)	West of Cimarron (O) *3 Mesquiteers* (1941-42)	Playmates (C) 212 *Kay Kyser Band* *J. Barrymore* (1941-42)		The Gold Rush (Re-Issue) (C) *Chas. Chaplin* (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	



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The most exciting and suspenseful love story ever to thrill the nation's millions!

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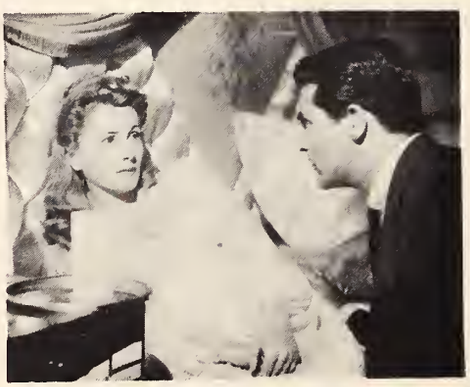
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The Safe Way

Montreal, Nov. 6.

BURGLARS broke into the Centre Theatre yesterday morning and walked off with a safe weighing 350 pounds. The intruders forced open a fire exit and apparently departed, safe and all, the same way. The management placed the loss at several hundred dollars in cash in addition to business papers.

See 3rd Dimensions Likely on New Film

CAMBRIDGE, MASS, Nov. 6.—A new film material which makes practicable the presentation of third dimensional motion pictures with the present standard theatre equipment has been developed here recently, according to Edwin H. Land of the Polaroid Corp., Cambridge, in an article in the *Journal* of the Optical Society of America.

Land states that the new film, being kept secret by the Government for military reasons, requires the use of viewing glasses, which he believes can be made at very little cost. In the process of achieving the third dimension, he states, two different photographs are placed on the new film, one on top of the other. One is developed on the front side of the film, which is transparent, and the other on the back. Using the spectacles, one eye can see the first picture and the other eye can see the second. Unless the glasses are used only a blur is visible.

In taking the pictures a camera with two lenses, spaced about the same distance apart as the human eyes, is used. Thus, each lens takes a separate picture. The photos are developed separately and then transferred one on top of the other to the new film.

'Touch' St. Louis' Best with $15,000

ST. LOUIS, Nov. 6.—Considerable rain had a dampening effect on the box-office. "The Feminine Touch" and "Unholy Partners" scored $15,000 at Loew's.

Estimated receipts for the week ending Oct. 30:

"It Started With Eve" (Univ.)
"Unexpected Uncle" (RKO)
AMBASSADOR—(3,018) (30c-40c-50c) 7 days. Gross: $10,500. (Average, $11,500)
"Unfinished Business" (Univ.)
"Yank in the R.A.F." (20th-Fox)
FOX—(5,039) (30c-40c-50c) 6 days, 3rd week for "Yank." Gross: $7,000. (Average, 7 days, $11,000)
"Weekend in Havana" (20th-Fox)
"Sailors on Leave" (Rep.)
Missouri—(3,514) (30c-40c-50c) 7 days. Gross: $5,000. (Average, $4,000)
"Bad Lands of Dakota" (Univ.)
"Burma Convoy" (Univ.)
St. Louis—(4,000) (25c-35c) 7 days. Gross: $3,600. (Average, $2,600)
"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
LOEW'S—(3,162) (30c-40c-44c-56c) 7 days. Gross: $15,000. (Average, $13,000)

Denied Voting Machines

NEWARK, N. J., Nov. 6.—Vice-Chancellor John O. Bigelow here denied the application of six members of the local operators union for voting machines in their election, and named William J. Brennan, Jr., to supervise nominations and elections Dec. 9.

Comedy Note Is Dominant In New Season Product

(Continued from page 1)

release dates are not yet set, will be added during the period.

Columbia has seven comedies slated, beginning with "Three Girls About Town," with Joan Bennett and Binnie Barnes, on Oct. 24. Subsequent to that are "You Belong to Me," Henry Fonda and Barbara Stanwyck; "The Stork Pays Off," Maxie Rosenbloom and Rochelle Hudson; "Go West Young Lady," Penny Singleton and Glenn Ford; "Sing for Your Supper," Buddy Rogers; "Bedtime Story," Fredric March and Loretta Young, and "Harvard, Here I Come," Maxie Rosenbloom and Arlene Judge.

M-G-M's list for October and November includes: "Married Bachelor," Robert Young and Ruth Hussey; "The Feminine Touch," Rosalind Russell and Don Ameche, and "Two-Faced Woman," Greta Garbo and Melvyn Douglas. These are in addition to two musicals, "Smilin' Through," Jeanette MacDonald and Gene Raymond, and "The Chocolate Soldier," Nelson Eddy and Rise Stevens. December dates have not yet been set but it is expected that "Design for Scandal," Rosalind Russell and Walter Pidgeon, will be released in that month.

Paramount has: "Nothing But the Truth," Bob Hope and Paulette Goddard; "Henry Aldrich for President," Jimmy Lydon; "Skylark," Claudette Colbert and Ray Milland, and "Glamour Boy," Jackie Cooper, all comedies, and a Bing Crosby-Mary Martin musical, "Birth of the Blues.

Republic, which injects ample portions of music and humor in virtually all its Westerns, has a Weaver Family vehicle, "Tuxedo Junction," coming up Nov. 28, while the RKO program from Oct. 31 to Dec. 25 comprises "Dumbo," the Disney feature; "Unexpected Uncle," Charles Coburn and Anne Shirley; "Look Who's Laughing," Fibber McGee and Molly and Edgar Bergen; "Mexican Spitfire's Baby," Lupe Velez and Leon Errol; "Weekend for Three," Dennis O'Keefe and Jane Wyatt, and "Playmates," Kay Kyser and orchestra and John Barrymore.

Comedy fare from 20th Century-Fox includes: "Great Guns," Laurel and Hardy; "Moon Over Her Shoulder," John Sutton and Lynn Bari; "Small Town Deb," Jane Withers and Jane Darwell; "Rise and Shine," Jack Oakie and George Murphy; "Marry the Boss' Daughter," Betty Joyce and Bruce Edwards, and "The Perfect Snob," Lynn Bari and Cornell Wilde. The company also has a musical, "Weekend in Havana," with Alice Faye and Carmen Miranda.

United Artists will reissue a comedy of years back, Charlie Chaplin's "The Gold Rush," to which sound is being added. Hal Roach's "Streamliners" in the UA lineup include: "Niagara Falls," Marjorie Woodworth and Tom Brown, first on the list; "All American Co-Ed," Frances Langford and Johnny Downs; "Miss Polly," Zasu Pitts, and "Fiesta," a musical with Armida and Antonio Moreno. "Twin Beds," Edward Small film with George Brent and Joan Bennett, also is on the U. A. schedule.

Universal lists: "Never Give a Sucker an Even Break," W. C. Fields; "Swing It Soldier," Ken Murray and Frances Langford; "Moonlight in Hawaii," Mischa Auer and Jane Frazee; "Quiet Wedding," Margaret Lockwood; "Keep 'Em Flying," Abbott and Costello; "Don't Get Personal," Hugh Herbert; "Melody Lane," Baby Sandy, and "Hellzapoppin'" with Olsen and Johnson.

Warners will have available for Christmas its adaptation of the Broadway comedy success, "The Man Who Came to Dinner," with Monte Wolley, Bette Davis and Ann Sheridan.

Technical Problems Slow B&K Television

CHICAGO, Nov. 6.—William C. Eddy, chief engineer for the Balaban & Katz television station here, has returned from Washington where he discussed with officials the problem of priorities on television receivers. Technical problems have slowed the completion of the station more than shortage of materials, Eddy said. It is now on the air on an experimental basis 45 minutes daily, five days a week.

Don Lee Television Using Film Footage

HOLLYWOOD, Nov. 6.—The Don Lee television station, W6XAO, broadcast its first film transmission from the transmitter located atop Mount Lee, near here. A large library of film, mostly shorts obtained from commercial advertising film companies, and Canadian war film footage, has been obtained.

The station uses 16mm. footage and occasionally makes its own newsreel for the telecasts. The station next month will celebrate its 10th anniversary of telecasting.

Ohio ITO Meeting To Be Held Nov. 25

COLUMBUS, Nov. 6.—The I.T.O. of Ohio will hold its ninth annual convention at the Deshler Wallick Hotel here, Nov. 25 and 26, according to an announcement by P. J. Wood, secretary of the organization.

Ask Approval for Southern Stations

WASHINGTON, Nov. 6.—Applications for construction permits have been filed with the Federal Communications Commission by John D. Ewing, for a 1,060-kilocycle, 50,000-watt station at New Orleans, and the Florida National Building Corp., for an 1,170-kilocycle, 5,000-watt station at Miami.

Starts Dual Policy

CINCINNATI, Nov. 6.—The 1,400-seat RKO Lyric, heretofore playing moveover weeks at 28, 33 and 42 cents, has inaugurated a double feature policy, with changes each Thursday. Matinee scale will be 25 cents, with a 25 and 36-cent rate evenings. Prices are plus Federal tax.

'Honky Tonk' Seattle Lead With $8,800

SEATTLE, Nov. 6.—"Honky Tonk" at the Paramount took a strong $8,800 to top the town and earn a holdover. The second week of "Sergeant York" at the Orpheum continued above par and the picture goes into a third week, setting a new season's record at this house. Weather was clear and cool.

Estimated receipts for the week ending Oct. 31:

"Nothing But the Truth" (Para.)
"Henry Aldrich for President" (Para.)
BLUE MOUSE—(950) (30c-40c-58c) 7 days, 4th week. Moved from Paramount. Gross: $3,600. (Average, $4,000)
"Lydia" (U. A.)
"Tanks a Million" (U. A.)
FIFTH AVENUE—(2,500) (30c-40c-58c-65c) 7 days. Gross: $6,850. (Average, $7,000)
"International Lady" (U. A.)
"Tillie the Toiler" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $4,800. (Average, $5,000)
"A Yank in the R.A.F." (20th-Fox)
MUSIC BOX—(950) (30c-40c-58c-65c) 7 days, 3rd week. Moved from Fifth Avenue. Gross: $3,250. (Average, $4,000)
"Sergeant York" (W. B.)
ORPHEUM—(2,450) (40c-50c-65c) 7 days, 2nd week. Gross: $7,800. (Average, $6,000)
"The Pittsburgh Kid" (Rep.)
"Gentleman from Dixie" (Mono.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $5,200. (Average, $5,000)
"Honky Tonk" (M-G-M)
PARAMOUNT—(3,050) (30c-40c-58c) 7 days. Gross: $8,800. (Average, $6,000)

'Business,' Show $21,000, Cleveland

CLEVELAND, Nov. 6.—A personal appearance by Simone Simon on the stage of the RKO Palace aided "Unfinished Business" in rolling up a smash $21,000, while "Great Guns" reached $7,500 at the Allen.

Estimated receipts for the week ending Oct. 30-31:

"Great Guns" (20th-Fox)
ALLEN—(3,000) (33c-39c-47c) 7 days. Gross: $7,500. (Average, $4,000)
"Sergeant York" (W. B.)
WARNERS' HIPPODROME—(3,800) (44c-50c-60c) 7 days, 3rd week. Gross: $10,500. (Average at 33c-39c-47c $11,000)
"Unfinished Business" (Univ.)
RKO PALACE—(3,100) (33c-47c-55c) Simone Simon and "Continental Varieties" on stage. 7 days. Gross: $21,000. (Average, $13,500)
"Feminine Touch" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 6 days. Gross: $10,600. (Average, 7 days, $11,000)
"Smilin' Through" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 6 days. Gross: $3,000. (Average, 7 days, $4,000)

Van Dyke IRE Head

Arthur F. Van Dyck, manager of the industry service section of the RCA Laboratories, has been elected president of the Institute of Radio Engineers, it was announced yesterday. The IRE has 7,000 members in 74 countries, it was said.

It's Autry, Okla.

Berwyn, Okla., Nov. 6

GENE Autry, singing Western star of the screen, has a new distinction—a town named after him. The Carter County Commissioners at a special session, approved the change of name of this town to Gene Autry, Okla.

Never has any company had so many attractions playing on Broadway at one time as 20th Century-Fox has right now!



AT THE RIVOLI . . . "HOW GREEN WAS MY VALLEY" — "How GREAT Was My Valley!" says Walter Winchell

AT THE ROXY . . . "WEEK-END IN HAVANA" *In Technicolor* — Watch that Week-end . . . and the week!

AT THE PALACE . . . "MOON OVER HER SHOULDER" — "A welcome surprise!" —N.Y. Herald Tribune; "You can't do better!" —N.Y. Daily Mirror

AT THE NEW YORK . . . "RIDERS OF THE PURPLE SAGE" — Zane Grey for boxoffice action!

AT THE MAYFAIR . . . "WILD GEESE CALLING" and "GREAT GUNS" — And "Wild Geese" is going Great Guns!

AND COMING TO THE GLOBE . . . "SWAMP WATER" — The sensation of St. Louis soon will sock New York!

ONE-WAY TO PROFITS

20th CENTURY FOX

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 93 NEW YORK, U. S. A., MONDAY, NOVEMBER 10, 1941 TEN CENTS

Minn. Product Situation Seen As Acute Now

Warners Ask Exemption From State Law

MINNEAPOLIS, Nov. 9.—Universal, Columbia and United Artists are reported to be doing record business in Minnesota as the product situation throughout the state becomes increasingly acute, despite the resumption of selling last week by Paramount and United Artists.

Paramount reportedly was off to a slow start on its selling in the state, but United Artists did a heavy opening business. Universal and Columbia, unaffected by the state law, have been selling without interruption and are said to have tripled their business in the state as exhibitors clamored for product to keep their theatres open.

Columbia is usually serviced with four to eight prints for this territory.

(Continued on page 9)

Production Plans Topic at 'U' Meet

CHICAGO, Nov. 9.—A two-day meeting of Universal's Western and Southern district and branch managers was concluded here today with discussions of the company's production plans for the balance of the new season.

William A. Scully, vice-president and general sales manager, presided at the sessions which were attended by about 40 sales officials, home office and studio representatives. In addition to Scully, the meeting was addressed by Nate J. Blumberg, Universal president; Matthew J. Fox, vice-president and Blumberg's studio

(Continued on page 9)

Settle William Fox, Fox Theatres Suits

Long litigation between Fox Theatres Corp. and William Fox reached a final settlement on Friday when N. Y. Supreme Court Justice Louis A. Valente approved a compromise submitted by Kenneth P. Steinreich and Leopold Porrino, trustees of the theatre company. Under the terms of the settlement Fox is to pay $25,000 to the theatre company and releases are to

(Continued on page 9)

Amusement Division Pledges Support to Federation's Drive

The Motion Picture, Theatrical and Amusement Division of the New York and Brooklyn Federations of Jewish Charities pledged full support to the federation's 1941 campaign for funds, at a luncheon meeting at the Hotel Astor on Friday.

Major Albert Warner and David Bernstein, co-chairmen of the division, conducted the meeting, which was the first in the campaign for this year. At another meeting on Nov. 25 the co-chairmen will name the committees within the division which will carry on the work of the campaign.

George Z. Medalie, president of the New York Federation, and Paul Felix Warburg, chairman of the Business Men's Council of the campaign, spoke briefly. The federation functions on behalf of 116 institutions in Greater New York. Major Warner and Bernstein pledged full support of the amusement industry here.

"We have always done the job, and

(Continued on page 9)

16 Theatre Firms Dissolved in N. Y.

ALBANY, Nov. 9.—Papers of dissolution have been filed for 16 theatre companies in New York State. They were:

Westdale Theatre Corp., Lictor Theatre Corp., Leander Theatre Corp., Throggs Neck Theatre Corp., Ward Amusement Corp., Lydig The-

(Continued on page 9)

Decide Film Probe Course This Week

Washington, Nov. 9.— With the neutrality legislation out of the way, Senator D. Worth Clark of Idaho plans to call his propaganda sub-committee together on Wednesday or Thursday to determine the course of the film investigation.

The Senator explained that he does not believe it possible for the group to meet tomorrow.

If the Committee gets together Wednesday and decides to continue its hearings, it is possible sessions will resume Nov. 17, but it is more likely that they will be deferred until Nov. 24.

Hold British Quota At Level 3 Years

LONDON, Nov. 9.—The British Board of Trade is expected shortly to announce that the existing quota percentages for exhibitors and distributors will remain in effect for the next three years without change. The expectation confirms MOTION PICTURE DAILY's story of Friday that no changes are anticipated for some years.

The present percentage on quota is 17½ per cent for exhibitors and 22½ per cent for distributors. The figures, it is understood, are open to revision

(Continued on page 9)

Marquee, Shop Window Power Cut Aids Theatres

CHARLOTTE, N. C., Nov. 9.—Conservation of power in the Southeastern states which calls for a blackout of electric signs, lobby and window displays, is not hurting the motion picture business in the Carolinas, according to reports from the office of Mrs. Pauline Griffith, secretary of the Theatre Owners of North and South Carolina, and from theatre managers.

[The Office of Production Management has postponed for one week the 30 per cent power consumption cut scheduled to become effective Nov. 10 in six Southeastern states. Heavy rains permitted the delay. The five per cent cut in North Carolina has been postponed.]

On the contrary, business goes on as usual and in some instances theatre men express appreciation of the fact that the "blackout" cuts down their lighting bill. In Charlotte theatre-goers and window shoppers miss the brilliant signs and marvel at the step backward to kerosene lamps, lanterns and candles. The curiosity thus aroused tends to increase rather than diminish theatre attendance.

On the first few nights of the blackout here, which began under Federal orders Nov. 1, there were lines of fans filing slowly into the dimly lighted entrances and lobbies of theatres.

There was something mysterious about it and those who went out to window shop among displays lighted with candles and lanterns decided to go to the films.

Demand Seen For Browne's Replacement

AFL Not Interfering in IATSE Situation

A rank and file demand for a special convention to name a successor to George E. Browne, convicted IATSE president, was indicated over the weekend in many union circles here. Although Browne has not yet resigned his office, many believe that there will be considerable pressure upon him to do so, even if he is admitted to bail pending an appeal after sentence is pronounced by Federal Judge John C. Knox Wednesday.

An IA official on Friday said he "would be very much surprised" if Browne resigned before his appeal is decided. The IA constitution provides two methods for selection of a new president in the event of resignation or other disqualification.

The first is the appointment of a successor by the executive council and

(Continued on page 10)

Odeon, GFD Plan No Theatres Deal

LONDON, Nov. 9.—Both the Odeon Circuit and General Film Distributors deny reports of a theatre merger involving Odeon and Gaumont British, following the assumption of control of Gaumont British by the General Film interests headed by J. Arthur Rank. It is also denied that any discussions have been held.

However, following the Gaumont British deal, a new organization,

(Continued on page 9)

Report Reisman to S. A. Relations Unit

It is reported that Phil Reisman, RKO foreign department head, will supervise the distribution of 16mm. films to be made by the Film Division of the Committee for Cultural Relations Between the Americas. John Hay Whitney is chairman of the Film Division.

It is reported that Reisman is leaving his executive post with RKO in order to undertake the new work. The reports did not indicate when Reisman would leave to assume his new duties. He has been with RKO in various executive positions since 1932.

Para. and National Renew Deal Talks

Paramount has renewed new season product negotiations with National Theatre units, as was indicated by *Motion Picture Daily* on Wednesday. Neil F. Agnew, Paramount distribution head, returned Friday from Milwaukee, where he conferred with Spyros Skouras, National Theatres head, and H. J. Fitzgerald, Fox Wisconsin chief. It was indicated negotiations are progressing, but have not yet reached a definite stage.

Charles M. Reagan, Paramount Western sales manager, is accompanying Skouras to the Coast from Milwaukee to continue the talks.

Bonuses Unaffected Under Canada Edict

TORONTO, Nov. 9.—A company which has regularly given Christmas bonuses to employes may continue to do so under the new restrictive regulations of the Wartime Labor Control Board stabilizing wages and salaries for workers receiving less than $3,000 per year, it has been ruled by the Canadian Department of Labor. New bonuses are prohibited as an evasion of the control of personal earnings, to which can only be added cost of living allowances to be fixed periodically by the Government.

Baltimore Club Sets 3 Weekly Features

BALTIMORE, Nov. 9.—The local Variety Club has inaugurated a new policy of installing theatrical night each Tuesday evening. Artists appearing at local theatres and night clubs will be invited as guests.

Stage Night, also, has become a weekly feature with a different member as "King for a Night" each Monday. The club is now holding dances each Saturday evening, with a local orchestra in attendance.

Operators Ball Today

MILWAUKEE, Nov. 9.—The Motion Picture Ball, an annual affair until its discontinuance a number of years back, is being revived at the Eagles Club Ballroom tomorrow, by the projectionists' union, Local 164. Roy J. Bernier heads the arrangements committee.

Personal Mention

ROBERT M. GILLHAM, director of advertising and publicity for Paramount, returns to the home office today after a visit in Washington.

•

LIEUT. JACK MACDOUGALL, formerly with Associated Screen News, Ltd., Toronto, has been named officer in charge of the mobile motion picture unit with the Canadian forces in England.

•

PHIL SHERMAN, formerly with Monogram in New Haven, now Warner Montreal manager, was a New Haven visitor over the weekend.

•

F. E. DESCHENES, owner of the Park Theatre, Preston, Ont., since 1921, has retired and gone to Florida.

•

ALEC MOSS returned to the home office at Paramount Friday after a brief Southern trip.

•

FRANK DURKEE, circuit operator in Baltimore, has returned from a Mexican trip.

KENNETH MCKENNA, M-G-M story editor, is due here today from the Coast.

•

JOHN A. SCHWALM, manager of the Northio Rialto, Hamilton, O., who has been a member of the City Council since 1934, was reelected Councilman last week.

•

LEON BACK, chief booker for the Rome Circuit, Baltimore, leaves shortly for a California vacation.

•

GORDON SPRADLEY and SONNY SHEPHERD of the Wometco circuit, Miami, are en route to their posts by motor after a visit here.

•

ROBERT S. BENJAMIN, attorney, left for the Coast on Friday and is expected back early this week.

•

IRVING C. JACOCKS, JR., Branford, Conn., exhibitor and president of the Connecticut MPTO, his wife and their daughter, NANCY, are visiting in Boston.

Rice Elected As Drama Guild Head

Elmer Rice was reelected president of the Dramatists Guild for a term of two years at the annual meeting held Friday at the Lyceum Theatre. George Kaufman was named vice-president and Richard Rodgers, secretary.

An amendment to the minimum basic agreement with legitimate stage producers was approved which extended the period during which a producer shares in motion picture rights to a play from 10 to 18 years, but with diminishing percentages during the last eight years. Another amendment approved was an exemption from the requirement for membership in the Guild to foreign playwrights writing in a foreign language and living abroad.

Elected to the Guild council were Philip Barry, Edward Childs Carpenter, Marc Connelly, Rose Franken, Lorenz Hart, Howard Lindsay, John Monks, Jr., Arthur Schwartz, George Sklar and Victor Wolfson.

Representatives of the Guild who were elected to membership on the council of the Authors League of America, the parent body, were Irving Berlin, Connelly, Russel Crouse, Frances Goodrich, Moss Hart, Sidney Kingsley, John Howard Lawson, Kenyon Nicholson, Arthur Richman, A. E. Thomas, Rita Weiman and Stanley Young.

Detroit Complaint Is Adjourned to Nov. 17

DETROIT, Nov. 9.—The hearing of the arbitration complaint of Irving A. Moss, operator of the Parkside Theatre here, against the five consenting companies, started Friday and was adjourned to Nov. 17. Argument Friday centered on whether Wilber M. Brucker, arbitrator and former Michigan governor, had jurisdiction.

Moss claims four houses of Cooperative and United Detroit Theatres are given preference on features which the consenting companies would not license to him, and asks for those pictures seven days after the key houses. Brucker will rule on the question of jurisdiction on Nov. 17.

Warner Pittsburgh Zone Meeting Today

A meeting of Warner Pittsburgh zone theatre managers and department executives will be held in Pittsburgh today with Harry Kalmine, assistant manager of the Warner Circuit, and M. A. Silver, Pittsburgh zone manager, presiding.

Harry Goldberg, Warner Theatres advertising and publicity manager, also will attend the one-day meeting. There will be a screening of "One Foot in Heaven" and merchandising plans for the film will be discussed.

Lunt Play Sellout for Date in Chattanooga

CHATTANOOGA, Tenn., Nov. 9.—"There Shall Be No Night" was sold out at the Bijou three days before seats actually went on sale. Reservations began coming in for the Alfred Lunt and Lynn Fontanne show the day their play was announced. They will present one performance next Thursday evening.

Orchestras at All Shows

BOGOTA, Colombia, Nov. 9. — The Municipal Council here has approved a resolution of Councilman Rafael Miranda that requires motion picture theatres to employ orchestras for all shows.

Albany Variety Club Will Honor Silver

Albany, Nov. 9.—Despite the transfer of M. A. Silver from Albany zone manager to Pittsburgh zone manager for Warners, the newly formed local Variety Club plans to elect Silver chief barker, in recognition of his work in organizing the club here.

Reade Completes 3 Real Estate Deals

Walter Reade, circuit head, completed three real estate deals, it is said, one of which will result in the construction of a $150,000 theatre in Munsey Park, Long Island, which he will operate for the owner, May Nora Shea. The theatre will seat 1,200 and will be ready for operation in September, 1942, it is expected.

In another of the deals, Reade purchased a square block in Asbury Park, N. J., where he will construct a large swimming pool which will feature aquatic performances similar to the "Aquacade" at the World's Fair. Purchase price for the property is said to have been $400,000. The third was a personal investment in other property in Asbury Park.

PRC Sets Several Circuit Contracts

Producers Releasing Corp. has closed a number of circuit deals for the new season product since Nov. 1, according to Arthur Greenblatt, general sales manager. Circuit deals include:

Charles Morse, Boston; Mutual Theatres, Detroit; John Servaas, Manny Marcus and Rex Carr circuit, Dudley Williston, Sam J. Switow, Indianapolis; Lewis Theatres, Houston; Clearfield Amusement Co., and Alpine Theatres, Pittsburgh; Theatres Service Corp., New Orleans; Community Theatres, Cooperative Theatres, Charnas Theatres, Shea Circuit, Cleveland; and Bijou and Avalon Theatres, Toledo, O.

Music Hall Dates

RKO's "Suspicion" or Warner Bros.' "One Foot in Heaven" is scheduled to follow "Appointment for Love," Universal feature, currently playing at the Radio City Music Hall.

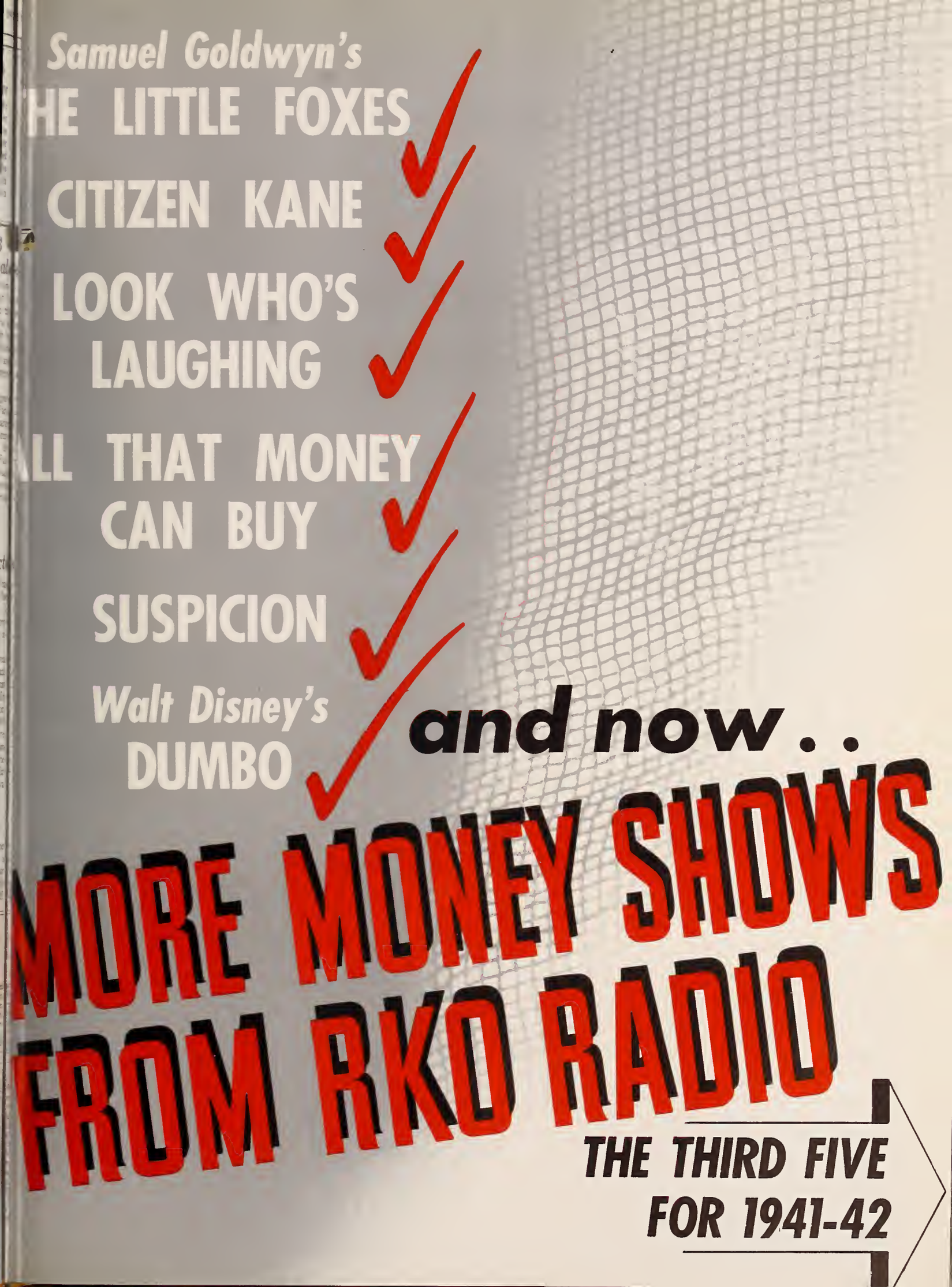
BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Mail Orders Promptly Filled

"A GREAT SHOW"—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Monday. Mats. Tues., Sat. & Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

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Samuel Goldwyn's
HE LITTLE FOXES
CITIZEN KANE
LOOK WHO'S LAUGHING
LL THAT MONEY CAN BUY
SUSPICION
Walt Disney's
DUMBO
and now . .
MORE MONEY SHOWS FROM RKO RADIO
THE THIRD FIVE FOR 1941-42



KAY KYSER
in
"PLAYMATES"

with

JOHN BARRYMORE
LUPE VELEZ
GINNY SIMMS
MAY ROBSON · PATSY KELLY
PETER LIND HAYES
and
KAY KYSER'S BAND
featuring Harry Babbitt · Ish Kabibble · Sully Mason

Produced and Directed by DAVID BUTLER

Screen Play by James V. Kern

Do your Christmas booking NOW for the greatest holiday attraction on record!



"OBLIGING YOUNG LADY"

with

JOAN CARROLL
EDMOND O'BRIEN
RUTH WARRICK
EVE ARDEN
ROBERT SMITH
FRANKLIN PANGBORN

Produced by HOWARD BENEDICT
Directed by RICHARD WALLACE
Screen Play by Frank Ryan and Bert Granet



Broadway's child sensation brings to the screen what she had to wow New York in the stage smash, "Panama Hattie."



"WEEK-END FOR THREE"

with

Dennis O'Keefe
Jane Wyatt
Philip Reed
Edward Everett Horton
ZaSu Pitts
Franklin Pangborn

Produced by Tay Garnett
Directed by Irving Reis

Screen Play by Dorothy Parker and Alan Campbell from Story by Budd Schulberg

A showman's booking worries fly out the window when a sure-fire comedy, like this comes along!



heat wave of entertainment
. . singing, dancing, comedy,
rama, romance . . . A top
racket show all the way . . .

"FOUR JACKS AND A JILL"

with

RAY BOLGER
ANNE SHIRLEY

JUNE HAVOC · DESI ARNAZ · JACK DURANT
EDDIE FOY, JR. · FRITZ FELD · HENRY DANIELL

Produced by JOHN TWIST
Directed by JACK HIVELY

Sceeen Play
by John Twist







"A DATE WITH THE FALCON"

with

GEORGE SANDERS
WENDY BARRIE
JAMES GLEASON
ALLEN JENKINS
MONA MARIS

Produced by Howard Benedict

Directed by Irving Reis

Screen Play by Lynn Root and Frank Fenton

Based Upon the Character Created by Michael Arlen

. . . Second in the thril
series starring the mai
who played "The Saint."
. . . An ace for action
mystery, melodrama . .

RKO RADIO PICTURES

THE THIRD FIVE FOR 1941-42

Minn. Product Situation Seen As Acute Now

(Continued from page 1)

but this season the company is keeping 16 to 20 prints constantly employed. Universal reported that it is having difficulty obtaining an adequate supply of contract forms.

Northwest Allied officials admitted the product situation is becoming increasingly serious. The Paradise Theatre at Faribault, an "A" house, is definitely scheduled to close Nov. 21. Other houses throughout the state are operating on part-time schedules and several closings have been reported.

Northwest Allied officials, in answer to an inquiry, received a denial from Governor Harold E. Stassen that the calling of a special session of the legislature to repeal the anti-block-of-five law is contemplated. The next regular session of the legislature will be January, 1943.

Warners Asks Exemption From Minnesota Law

Warners has applied for an exemption from the Federal court here from the sales provisions of the consent decree to permit it to resume selling in Minnesota and hearing on the application has been set for Friday by Federal Judge Henry W. Goddard.

***Motion Picture Daily* disclosed on Friday that the company had the move under consideration.**

Granting of the order by Judge Goddard is regarded as a certainty, since the court evidenced no disposition to question the right of Paramount to an exemption for Minnesota operations when that company came before him 10 days ago with an identical request. Judge Goddard, in fact, stated that under Section 23 of the decree, which offers relief to the consenting companies when decree provisions come into conflict with state or other laws, Paramount was clearly entitled to a release.

The exemption of Warners would leave only three companies, Loew's, RKO and 20th Century-Fox, not selling in Minnesota because of the state's anti-block-of-five law.

Warners stated its intention of pressing a test of the constitutionality of the Minnesota law and expressed the hope that the next session of the state legislature will repeal the law.

16 Theatre Firms Dissolved in N. Y.

(Continued from page 1)

atre Corp., and Kasil Theatre Corp., filed by Kelley and Connelly, New York; Benog Theatres, Inc., Eton Leasehold Corp., Fleethold Corp., Forumhold Corp., Maxlau Theatres Corp. and Sedgwick Amusement Co., Inc., all filed by Charles Segal, New York; Seventh Producing Corp., filed by Select Theatres Corp.; Troy Amusement Corp., by Leon Samuels, and United Moving Picture Exhibitors, Inc.

Sign Miss Rogers, Fonda

HOLLYWOOD, Nov. 9.—Ginger Rogers and Henry Fonda have been signed to star in two of the episodes of "Tales of Manhattan" at 20th Century-Fox.

Bette Davis First Woman To Head Coast Academy

HOLLYWOOD, Nov. 9.—Bette Davis, five times nominee and twice winner of the outstanding actress award, has been elected president of the Academy of Motion Picture Arts and Sciences, the first woman to hold that post.



Bette Davis

The new Academy board of governors at its first meeting named Miss Davis and the following officers: Walter Wanger, retiring president, as first vice-president; Edward Arnold, second vice-president; Rosalind Russell, third vice-president; James Hilton, fourth vice-president; Jane Murfin, secretary; Nat Finston, assistant secretary; John Aalberg, re-elected treasurer; Pete Smith, assistant treasurer.

The new board also reaffirmed Donald Gledhill as executive secretary. The board shelved plans for a new Academy building, a project which had been planned for some time, when Sam Wood, committee head, reported priorities prevented the obtaining of the necessary materials.

Odeon, General Film Say No Theatre Deal

(Continued from page 1)

called British Film Makers, has been formed, representing Oscar Deutsch, Odeon head, and Rank of General Film. It is believed the new organization will sponsor large-scale productions, of which the first is "The Day Will Dawn," now being produced at the Denham studio by Paul Soskin.

It is indicated that Rank is financing the production, General Film will handle distribution, and Odeon will guarantee the theatre outlet for the picture.

Hold British Quota To Level 3 Years

(Continued from page 1)

at the end of three years. Under the Films Act, the exhibitor quota should ultimately reach a maximum of 22½ per cent, and the distributor quota a high of 27½ per cent.

The plan is expected to be presented to the next meeting of the Films Council, the date for whose meeting has not yet been set. The council generally advises the Board of Trade on such matters, and the former is expected to approve the quota plan.

Production Plans Topic at 'U' Meet

(Continued from page 1)

representative, and Bernard Kreisler, short subjects manager.

Also present from the home office were J. J. O'Connor, assistant to Blumberg; W. J. Heineman, assistant sales manager; E. T. Gomersall, Fred Meyers, F. J. A. McCarthy, J. J. Jordan, F. T. Murray and Lou Pollock.

Settle William Fox, Fox Theatres Suits

(Continued from page 1)

be exchanged. Fox drops a claim for $7,000,000 which he filed against Fox Theatres, and the latter abandons its suit for many millions of dollars against Fox.

The trustees of the company pointed out in their application that the wiping out of Fox's claim will release $85,000 now held as a reserve for general distribution to creditors of Fox Theatres Corp. The agreement with Fox is part of a settlement with all of Fox's creditors under which payment is to be made of $885,000 by Fox. 20th Century-Fox Film Corp., one of the creditors, will receive $39,500 in the general settlement.

Hitchcock to Direct Lloyd-Universal Film

Frank Lloyd and Jack Skirball will produce and Alfred Hitchcock will direct a story by Hitchcock titled "The Saboteur," under arrangements completed on Friday. Universal will release the film. The cast will be headed by Priscilla Lane and Robert Cummings.

Cut Matinee Prices

CINCINNATI, Nov. 9.—The Times, downtown subsequent run, operated by the Isaac Libson interests, has reduced the matinee price to 20 cents including taxes.

New Comedy Will Make Bow Tonight

"Spring Again," a new comedy by Isabel Leighton and Bertram Bloch, opens tonight at Henry Miller's Theatre with Grace George and C. Aubrey Smith handling the top assignments. Guthrie McClintic is producer.

Amusement Division Pledges Support to Federation's Drive

(Continued from page 1)

will try to do it better than ever this year," said Major Warner, while Bernstein stressed the particularly vital need now of strengthening the home front by the support of such charities. Preliminary plans were discussed at the meeting.

In attendance at the meeting were: Jack Alicoate, Barney Balaban, Joseph Bernhard, Max B. Blackman, Harry Brandt, William Brandt, Leo Brecher, Irving Caesar, Max Cohen, Oscar Doob, M. J. Fessler, Leopold Friedman, Louis Frisch, Leon Goldberg, Milton Green, Monroe W. Greenthal, Toby Gruen, Marcus Heiman, Arthur Israel, Jr., Henry Jaffe, Joseph Kaufman.

Also Malcolm Kingsberg, Bertram Lebhar, Sam E. Morris, Paul Moss, Louis Phillips, Sam Rinzler, Herman Robbins, Harold Rodner, Samuel Rosen, Sam Schneider, Max Seligman, Charles Sonin and A. P. Waxman.



Demand Seen For Browne's Replacement

(*Continued from page* 1)

the other is by special convention. Only the council can call the special convention, but there is some belief in union circles that the council could not, in the present circumstances, resist strong pressure by the locals if these locals attempt to exert it. The regular convention, held biennially, is not due until June, 1942.

Seen as one of the leading candidates was Louis Krouse, general secretary-treasurer. Normally, of course, the first vice-president would serve until the next regular convention. However, it was pointed out, Harland Holmden is the incumbent first vice-president and little likelihood was seen in union circles of Holmden accepting or being offered the post.

Holmden May Refuse

In the first place, it was said, Holmden may refuse the presidency on the ground that its duties are too strenuous for a man his age, and there may be opposition because of his close association with the present administration. William Covert, the second vice-president, also is not regarded as eligible because he is a Canadian. This leaves Richard F. Walsh, of the stagehands local in Brooklyn, as the next in line, but there is some doubt whether the designation of Walsh, who is now a third vice-president, will be as routine as it would be in the case of the designation of an eligible first vice-president to the presidency.

AFL Keeps Hands Off in Browne-Bioff Situation

WASHINGTON, Nov. 9.—The fate of George E. Browne and William Bioff as labor leaders rests with the organization with which they are directly connected and not with the national labor body, according to officials of the American Federation of Labor.

Expulsion as a result of their conviction rests with the IATSE, it was said, under the laws and rules of the international unions. It was pointed out that the question of expulsion was dealt with at length by the AFL executive council in its report to the annual convention at Seattle last month, in which the individual unions were called upon to rid themselves of officials "who for selfish purposes seek to utilize the labor movement for the sole purpose of promoting their material welfare." However, it was stressed, neither the AFL president nor members of the executive council have any authority to remove officials of any international unions.

Coast Unions Leave Matter to IA Board

HOLLYWOOD, Nov. 9.—Still involved in straightening out contracts with producers, the 10 IATSE locals here looked to the IA executive board for any action to replace George Browne as IA president.

The general attitude was that the majority of locals, all of which have autonomy, have embarked on a program of conducting their own negotiations, and increased wage scales and better working conditions are their major concern. No officials would hazard a guess as to the action of the IA executive board.

Reviews

"Sierra Sue"

(Republic)

THIS stars Gene Autry in a Western whose story is modern and which has a minimum of plot and an abundance of song. In one scene, Smiley Burnette, the human cannonball, is ejected from a piece of carnival artillery and soars through the air. Although the action is rather limited until the final sequences, it appears sufficient. The picture on the whole is entertaining and doubtless will score a solid hit with Autry fans, particularly.

Snow-capped mountain peaks and tall timber form a colorful background to the story, which actually does not have an outlaw in it. Instead Autry of the Agricultural Commission finds his opposition in the stubbornness of a rancher who refuses to have his devil weed-infested property chemically treated.

The numerous vocals by Autry are pleasant and neatly spotted. Fay McKenzie in the feminine lead has more to do than is usually the case and does it well. Frank Thomas, Robert Homans, Earle Hodgins and Dorothy Christy are in the cast. William Morgan directed and Harry Grey was associate producer.

Running time, 64 minutes. "G."* EUGENE ARNEEL

"I Killed That Man"

(Monogram—K-B Productions)

Hollywood, Nov. 9.

GIVING the picture a maximum of production quality, Maurice and Franklin King (formerly Kozinsky) made of "I Killed That Man" a crime melodrama aptly suited for its designed supporting program duties. However, there are several story lapses which are not connected properly at the denouement.

Ricardo Cortez, as an assistant district attorney, and Joan Woodbury, as a newspaper reporter, have the principal roles. Others in the cast are Pat Gleason, George Pembroke, George Breakston, Iris Adrian, Herbert Rawlinson, Ralf Harolde, John Hamilton, Harry Holman, Jack Mulhall, Gavin Gordon and Vince Barnett.

A condemned man is murdered minutes before his scheduled execution when he is about to address the witnesses and reveal the name of his superior in crime. The district attorney's office trails down the suspects one by one, through another murder, to the climax.

Phil Rosen obtained the most out of the players and the mounting, and but for the inconsistencies, did an admirable job.

Running time, 71 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Asks Impeachment Of Ex-Judge Davis

WASHINGTON, Nov. 9.—Failure of two juries to convict former Federal Judge J. Warren Davis for his part in an alleged criminal conspiracy for which William Fox pleaded guilty had repercussions in Washington Saturday when Attorney General Francis Biddle disclosed he had recommended to the House Judiciary Committee that it institute impeachment proceedings against the retired jurist.

Judge Davis retired from the Third Circuit Court of Appeals in April, 1939, and in March of this year was indicted for conspiracy to obstruct justice and defraud the United States. On October 9, the Attorney General announced that since two trials of the judge resulted in a disagreement by the jury, the Government would drop the case.

To Act on Bulova Plea

WASHINGTON, Nov. 9.—Final action may be taken by the FCC Wednesday on the application of Arde Bulova for exchange of call letters between Stations WOV and WNEW, New York.

NBC Party Wednesday

Roy C. Witmer, vice-president of NBC Red network sales, will be host at a luncheon at the Hotel St. Regis Wednesday to celebrate the 15th anniversary of the Red network.

'Foxes' Captures $9,800, Montreal

TORONTO, Nov. 9. — "The Little Foxes" grossed $9,800 at the Imperial against holdover weeks at other big theatres, with "Honky Tonk" taking $9,000 at Loew's for its third week and "It Started With Eve" netting $9,500 for a second week at the Uptown Theatre.

Estimated receipts for the week ending Nov. 1:

"The Maltese Falcon" (W. B.)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 days. Gross: $5,800. (Average, $4,500)
"The Little Foxes" (RKO)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $9,800. (Average, $9,000)
"Honky Tonk" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days, 3rd week. Gross: $9,000. (Average, $9,000)
"Nothing But the Truth" (Para.)
SHEA'S—(2,480) (18c-30c-42c-60c-90c) 6 days, 2nd week. Gross: $8,000. (Average, $9,000)
"Sun Valley Serenade" (20th-Fox)
"Dressed to Kill" (20th-Fox)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. Gross: $4,300. (Average, $3,900)
"It Started With Eve" (Univ.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $9,500. (Average, $9,000)

Weber Leaves NBC

Tommy Weber, NBC chief photographer, has resigned effective next Saturday to start a commercial photographic agency. He operated a photo news service before joining NBC and, prior to that time, was a photographer with the *New York Journal-American*.

Fly Hits Alleged Pressure on FCC

Washington, Nov. 9.—Efforts on the part of Arthur Lucas, Atlanta circuit operator, allegedly to bring political pressure on the FCC brought from Chairman James L. Fly Saturday a reminder that "decisions are to be made on their merits." The commission made public correspondence concerning the application of WGST, Atlanta, for license renewal. Lucas has an interest in the station. The request was for depositions in connection with the application hearing, and was denied.

To Delay FCC Web Rules to December 1

Attorneys for the FCC and CB and NBC negotiated over the week end for a stipulation postponing enforcement of the network monopo rules until a statutory Federal Cou of three judges can pass on the vali ity of the rules after a hearing De 15. The attorneys are to advise Fe eral Judge Henry W. Goddard tod whether an agreement has be reached. If the stipulations are n agreed upon, Judge Goddard will co vene the statutory court immediate to decide whether a stay shall granted until the Dec. 15 hearing.

The rules were scheduled to go in effect next Saturday. The motions the networks for a temporary injun tion were postponed Friday by Jud Goddard, who announced that t statutory court would be composed Presiding Judge Learned Hand of t U. S. Circuit Court of Appeals, Fe eral District Judge John Bright a himself.

Moves to Dismiss Net Complain

Assistant U. S. Attorney Samu Brodsky, representing the Governme and the FCC, disclosed that he h filed a cross-motion to dismiss t networks' complaint and for summa judgment without trial in favor of t FCC. Brodsky expressed the opini that the ultimate decision would rendered without a trial because the facts are on record and the so question remaining is the legality the FCC rules.

Judge Goddard stated from t bench that he would be inclined grant a stay pending the Dec. 15 hea ing if the attorneys could not agr on a stipulation but added that could not speak for the other t judges.

Metropolitan Asks Television Permi

WASHINGTON, Nov. 9.—A construc tion permit for the commercial oper tion of its television station W2XM was asked of the FCC Friday by Me ropolitan Television, Inc., of Ne York. The application asks for Cha nel No. 8 with 500 watts aural a 1,000 watts visual power.

Alert, Intelligent and Indispensable to the Motion Picture Industry

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 94 NEW YORK, U. S. A., TUESDAY, NOVEMBER 11, 1941 TEN CENTS

150 Canadian Theatres in Test Blackout

Montreal Gross Reported Normal for Evening

By PAT DONOVAN

MONTREAL, Nov. 10. — The Dominion's most extensive test blackout passed tonight with exhibitors in Montreal reporting attendance and receipts about normal. Officials stated that the exhibitors' cooperation in making the half-hour blackout a success was 100 per cent.

Approximately 150 film theatres in the Province of Quebec were affected by the blackout, which was the largest ever attempted in North America.

(Continued on page 4)

Lawyers Lectured By Appeals Board

In granting a reduction of clearance to the American Theatre, Canton, N. Y., the national arbitration appeals board in a decision handed down yesterday, diverged sufficiently to lecture attorneys in arbitration cases for contributing to unnecessarily lengthy records and failure to help arbitrators who are unimitiated in the ways of the business.

The appeals board reversed in part the award of Morton J. Hall, arbitrator at the Albany board, who eliminated the 14 days clearance of the Strand, Ogdensburg, over the American last July. The board's decision

(Continued on page 4)

RKO Officials Assert Reisman Not Leaving

Reports that Phil Reisman, foreign department head for RKO, would leave his position were indicated at the RKO home office yesterday as without foundation.

Reisman is undertaking supervision of the distribution of 16mm. films made by the Film Division of the Committee for Inter-American Relations, which is headed by John Hay Whitney, as extra-curricular activity only, it is said. He has been cooperating with the Inter-American group for some time.

Schine Circuit Files Sealed Answers to U.S. in Trust Case

BUFFALO, Nov. 10.—Sealed answers to the Government's interrogatories in the anti-trust suit against the Schine Circuit and the Little Three were filed for the theatre company in U. S. District court here today by Willard S. McKay, Schine counsel.

The unusual request that the answers be sealed and accepted personally by Judge John Knight was granted by the latter on McKay's explanation that he did not wish the information to become public at this time for fear that competing theatre interests would obtain access to them.

Seymour Simon, special assistant to the U. S. Attorney General, applied for permission to examine correspondence of the Shine company relating to its theatre operations and film contracts.

"If we can obtain this data I believe

(Continued on page 3)

Daugherty Head of Capital Variety Club

WASHINGTON, Nov. 10.—Vincent Daugherty of the Paramount sales staff was elected Chief Barker of the local Variety Club today, succeeding Hardie Meakin, manager of RKO Keith's.

Sam Wheeler and John Allen were chosen assistant chief barkers, Eddie Fontaine secretary, and Sam Galanty was reelected treasurer. Carter Bar-

(Continued on page 3)

Film Heads to Hear Nelson Rockefeller

Film company heads will hear Nelson A. Rockefeller speak on the industry's share in his work as Coordinator of Inter-American Relations tomorrow night at the Links Club. John Hay Whitney, film division chief, invited the film executives.

Whitney and his aides, Francis Altstock and Kenneth MacGowan, conferred last week with Spyros Skouras, John J. O'Connor, Matthew Fox and Phil Reisman on feasibility of casting important stars in 35mm. features and shorts on Latin America, for possible release here as well as in Latin America.

'Dumbo' Is Good Draw in Strong Broadway Weekend

Visitors here for the big football games in addition to resident New Yorkers provided most of Broadway's first runs with a weekend of strong business.

Walt Disney's "Dumbo" is one of the top box-office performers, bringing the Broadway an estimated $22,100 during the week ending Sunday night. Also continuing to draw heavily is "How Green

(Continued on page 3)

Richard Walsh Chosen as New Head of IATSE

Executive Board Selects Him to Succeed Browne

Richard F. Walsh, third vice-president of the IATSE, has been elected president to succeed George E. Browne, its was announced yesterday. The action was taken at a meeting of the general executive board in Atlantic City late Sunday night.

It was revealed that Browne resigned as president after his conviction in U. S. District Court here last Thursday with William Bioff on extortion charges. Browne offered his resignation effective as of last Saturday.

Walsh will hold office until next June, when the regular IATSE convention will be held. Bioff's post as West Coast International representative will be taken by Carl Cooper.

Walsh has been president of Local 4, Brooklyn stagehands' union, for a number of years. He joined that

(Continued on page 4)

Albany Variety Club Names First Officers

ALBANY, Nov. 10.—The local Variety Club has named M. A. Silver its first Chief Barker. Silver, who was Warner zone manager here until his promotion to the Pittsburgh zone manager, will resign as soon as the Variety Club here is functioning on a permanent basis.

The membership unanimously decided to honor Silver, who labored untiringly all summer to form the new tent, despite his transfer from this territory. Silver accepted on the basis that he could relinquish the post

(Continued on page 3)

Seven Home Offices Closing at 1 P.M.

Warners, Paramount, M-G-M, 20th Century-Fox, Universal, Columbia and RKO will close at 1 P.M. today, Armistice Day. United Artists and Republic will be open all day. National Screen Service will be closed the entire day.

Coast Exhibitors Urge Films To Army Ahead of Theatres

HOLLYWOOD, Nov. 10.—The Pacific Coast Conference of Independent Theatre Owners today recommended that prints of all pictures be made available to Army posts prior to their national release date in the interests of morale, provided that Army theatres admit only service men.

The resolution adopted by the organization instructed member exhibitors "who may be hurt because of the particular clearance that an Army post may have" to send a report of the matter to Robert H. Poole, executive secretary, for forwarding to Francis Harmon of the MPPDA, coordinator of the industry's National Defense committee. It was also recommended that the latter committee appoint a sub-committee on clearance to handle such complaints.

Phila. Trust Suit Settlement Is Seen

PHILADELPHIA, Nov. 10.—Settlement of the Harrison Bros. anti-trust suit against the Warner Circuit appeared imminent today when defense counsel appeared before Federal Judge J. Cullen Ganey and asked for a dismissal, explaining that agreement on all major points had been reached.

However, Arthur Arnold, entering the case for the first time as counsel for the plaintiffs, contended that he had had insufficient time to acquaint himself with a supplementary statement filed by the defendants last week and asked for further postponement. The court put the case over until Wednesday.

Maurice Evans in Revival of 'Macbeth'

Maurice Evans' revival of Shakespeare's "Macbeth" opens tonight at the National. Evans plays the title role and Judith Anderson that of Lady Macbeth. Others in the cast are Viola Keats, Herbert Rudley, Philip Huston, Abby Lewis, William Hansen and Harry Irvine. Margaret Webster directed the production.

Para. Extends Time For Bond Exchange

The time in which Paramount's 3¼ per cent debntures may be exchanged for the new long term four per cent debentures has been extended from yesterday to Dec. 5 by the company's executive committee, Stanton Griffis, chairman, announced yesterday.

To date, $10,200,000 face amount of the old debentures, or more than 80 per cent of the amount outstanding, have been exchanged.

Personal Mention

JAMES MULVEY, vice-president and Eastern representative for Samuel Goldwyn, Inc., and MRS. MULVEY will celebrate their 17th wedding anniversary today.

•

E. K. O'SHEA, Central division manager for M-G-M, will leave today for Oklahoma City.

•

GERTRUDE MERRIAM of the Managers Round Table Department of *Motion Picture Herald*, is recuperating at home after an appendicitis operation.

•

ERNEST KOENIG, formerly European manager for Universal with headquarters in Paris, who has been in a sanitarium near Barcelona, Spain, was due to sail from Bilbao for New York today.

•

TONY MASELLA, former assistant at the Globe, New Haven, was given a dinner on the occasion of his promotion to assistant at the Poli, New Haven.

THOMAS J. CONNORS, Eastern, Southern and Canadian division manager for M-G-M, leaves today for Toronto.

•

ABE MONTAGUE, Columbia general sales manager, returned from the Coast yesterday.

•

NED DEPINET, CRESSON SMITH and S. BARRET MCCORMICK are back from the Coast.

•

KAY NAYFA, manager of the Empire Theatre, Placerville, Calif., will enter the Army on Dec. 1.

•

DOROTHY DAY, Tri-States Theatres publicity director in Des Moines, spoke on films before a group representing Des Moines women's clubs last week.

•

DR. J. B. FISHMAN, president of Allied of Connecticut, serves on the publicity and finance committees of the Committee to Defend America, in New Haven.

To Certify Union as WB Employe Agency

Formal certification of the Warner Bros. Associated Office Employees Union as collective bargaining agency for clerical employes in the home office will be made by the NLRB in Washington in two or three weeks, Charles Kramer, trial examiner, said yesterday. The union won an election by a vote of 451 to 112.

Buffalo Manager Hurt

BUFFALO, Nov. 10.—George H. MacKenna, manager of the Lafayette Theatre, was severely hurt yesterday when he was struck by an automobile in Niagara Falls.

Approve Sunday Films

ROCHELLE, GA., Nov. 10.—Sunday films have been approved by a unanimous vote of the Town Council. The proceeds will go to charity.

Van Schmus Heads Red Cross Roll Cal

W. G. Van Schmus, managing d rector of the Radio City Music Hal has been named chairman of the Mo tion Picture Group in th roll call of th New Yor chapter of th American Red Cross drive.



W. G. Van Schmus

Following his acceptance o the appointment, Va Schmus declared: "Re Cross activitie are maintaine by voluntar contribution This year, i order to carr on its national defense activities, th American Red Cross needs two-an a-half times as many members as 1940. I urge all to join during th Roll Call, Nov. 11 to 30.

"By supporting the Red Cross this year's Roll Call, one can make definite contribution to national d fense. Red Cross workers serve all military and naval stations, givi aid to the personnel, while in hon communities they help needy famili of service men.

"By and through the Red Cro $47,087,000 in war relief has be shipped overseas. New York Chapt alone provided 360,479 garments a 2,225,000 surgical dressings; help 15,000 New Yorkers seek word 34,000 relatives in 51 war-affect countries; forwarded 9,000 orders deliver food packages to war prisone in German camps; its disaster ca teen fed 1,500 child refugees arrivi here."

Republic Meet to Be Held Here Tomorro

James R. Grainger, president of R public, returned yesterday from r gional sales meetings in Chicago a New Orleans. The last of the seri of meetings will be held at the Ne York Athletic Club tomorrow a Thursday.

While in New Orleans, Graing and A. C. Bromberg, Southeaste franchise holder, closed a deal for R public's new season product with J Houck and Film Service circuits.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CHARLES BOYER • MARGARET SULLAVAN
"APPOINTMENT FOR LOVE"
A Universal Picture
ON THE GREAT STAGE: "AUTUMN LEAVES"—a merry fall festival . . . produced by Leonidoff. Symphony Orchestra, direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Paramount Presents Bob Hope
Paulette Goddard
"NOTHING BUT THE TRUTH"
IN PERSON
THE ANDREWS SISTERS
JOHNNY LONG AND BAND
PARAMOUNT TIMES SQUARE

CARMEN CESAR ALICE JOHN
MIRANDA-ROMERO-FAYE-PAYNE
'WEEK-END in HAVANA'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
Tyrone Power—Betty Grable
"A YANK IN THE R.A.F."
—and—
"HURRY, CHARLIE, HURRY"
with Leon Errol

4th Big WEEK
WALT DISNEY'S
DUMBO
at the BROADWAY 53rd St. & B'way Cl6-5353
Continuous Performances Popular Prices Doors Open 9:00 A.M.
Mezz. Seats Reserved
IN TECHNICOLOR

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows.

★ ★



5 SERVICES DAILY
VIA
SOUTHERN SUNSHINE ROUTE
TO
LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:30 pm and 4:45 pm 1:28 am and 2:18 am 7:47 am and 8:47 am
THE PLAINSMAN	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	5:25 pm 2:55 am 9:47 am
THE SOUTHERNER	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	11:20 pm 8:52 am 4:02 pm
THE SUN COUNTRY SPECIAL	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	6:30 am 4:58 pm 1:26 am

For reservations, call your Travel Agent or HAvemeyer 6-5000.
Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

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Dumbo' Is Good Draw in Strong Broadway Weekend

(Continued from page 1)

as My Valley" at the Rivoli, now its second week. The film rossed an estimated $20,800 Fri- y through Sunday.

e new 20th Century-Fox mu- "Week-End in Havana," ored a big opening at the Roxy, king an estimated $38,320 during s first three days beginning Fri- ay. The film, with a stage show, ill be held. At the Paramount, Nothing But the Truth" with the ndrews Sisters and Johnny Long's rchestra had another good week- nd, estimated at $25,000. The show nishes its third and final week to- ight with an estimated $46,000 ex- ected. Going in tomorrow will e "New York Town" with Bill Robinson and Jimmy Lunceford's rchestra on the stage.

"Appointment for Love," with a tage show, brought the Radio City Music Hall an estimated $56,500 Thursday through Sunday and hecks out tomorrow night. War- hers' "One Foot in Heaven" goes n Thursday. "Sergeant York" vith Phil Spitalny's orchestra gar- hered an estimated $17,100 at the Strand Friday through Sunday and completes a four-week run Thurs- day night. Following on Friday will be "International Squadron" nd Teddy Powell's orchestra.

Albany Variety Club Names First Officers

(Continued from page 1)

in honor of the first assistant barker, Louis R. Golding of Fabian Theatres.

Named besides Silver and Golding were: second assistant barker, Clay- ton Eastman; dough guy, Charley Smakwitz; property master, Herman L. Ripps. Canvasmen named were J. Myer Schine, Si H. Fabian, Wil- liam Smalley, M. N. Grassgreen, S. E. Aronowitz and Fred Archibald. Establishment of headquarters in a Hotel Ten Eyck suite will be ac- complished within the next two weeks with the installation of officers to be celebrated at a banquet late this month.

Daugherty Head of Capital Variety Club

(Continued from page 1)

ron and Abe Lichtman were elected delegates to the 1942 convention in Los Angeles, with Galanty and Ru- dolph Berger as alternates.

New members of the 1941-42 board of governors are John J. Payette, Nate Golden, Fred Kogod, Harry Lohmeyer, Galanty, Barron, Berger, Fontaine, Daugherty, Wheeler and Allen.

'M. P. Daily' Albany Writer a Councilman

ALBANY, Nov. 10.—Richard J. Con- ners, correspondent here for MOTION PICTURE DAILY, has been elected to a four-year term as Alderman on the Common Council, by a vote of 2,177 to 175.

Reviews

"Kathleen"

(M-G-M)

Hollywood, Nov. 10

GET ready to rub your eyes, Ladies and Gentlemen of Show Busi- ness, and your palms, when you meet "Kathleen." For "Kathleen" is your old friend and favorite box-office attraction, Shirley Temple— which means that child whose way with the telling of a straight story about a child and her problems kept you and your customers happy during the four years in which you voted her Number One Money- Making Star.

Yes, folks, this is a simple little story about a little girl. Her mother is dead. Her father is preoccupied with other matters, delegating servants to care for her. Her governess abuses her confidence. Her only friend is an old man who runs a second-hand store. A slick lady is about to marry her father for his money. Then a woman doctor, who happens to be young and pretty, is brought into the household, adjusts the child's emotions, finds her own a bit affected by the child's father and, of course, winds up by marrying the parent and making everybody happy.

Simple, direct, modernized to the extent of some references to child psychology and the introduction of some literal materializations of juve- nile fancy, the story is in the groove of the dozens of stories in which Miss Temple entertained her millions. The story keeps the narrative plain enough for mass consumption.

Herbert Marshall as the father, Laraine Day as the personable lady doctor and Gail Patrick as the woman with designs on the paternal monies play up to and never around or over the child star, and support is provided by Felix Bressart, Nella Walker, Lloyd Corrigan, Guy Bellis and half dozen others. No mobs of soldiers, angels or goblins are per- mitted to clutter up the proceedings and no earthquakes, tornadoes, forest fires or volcanic eruptions occur.

George Haight, who produced the film, must have remembered that it was in homespun that Miss Temple made her fame. Director Harold S. Bucquet may have turned memory back, too, to some of the young lady's top-grossing beginnings, for he kept his cast within the bounds of her early triumphs, letting the distortions occur where they'd do the most good, and attempted no subtlety, nothing too fancy for the multitude.

Doubtless there will be some temptation for showmen to bill "Kath- leen" as a "Shirley Temple comeback." That would be an inaccuracy, an offense against fact and, by the records pertaining to that type of billing, self-defeating. "Kathleen" is not a "Shirley Temple comeback." It is a coming back to the screen of the Shirley Temple type of motion picture, with Shirley Temple in it. Probably the best way to bill it is: "Shirley Temple in 'Kathleen.'"

Running time, 85 minutes. "G."* ROSCOE WILLIAMS

"Design for Scandal"

(M-G-M)

Hollywood, Nov. 10

TO use a colloquialism, M-G-M's "Design for Scandal" is a hum- dinger. The picture has everything that makes for entertainment for all types of patrons—excellent portrayals, side-splitting comedy, a keenly developed story, and the usual fine mounting associated with M-G-M productions.

For marquee embellishment are the names of Rosalind Russell, Walter Pidgeon and Edward Arnold, who do splendidly in their respective roles of judge, news photographer and news service head beset with alimony troubles. The support includes Lee Bowman, Jean Rogers, Mary Beth Hughes, Guy Kibbee, Barbara Jo Allen, and Leon Belasco, each of whom delivers more than adequately.

Sophisticated but clean and studded with sharp dialogue and delight- ful situations, the story deals with the efforts of a photographer to involve a woman judge in scandal in order to influence her to free his boss of huge alimony payments. The matters become complicated when the judge and the photographer really fall in love with each other.

Turning in one of his best directorial jobs, Norman Taurog skill- fully guided the characters, gleaning the maximum for each situation and line of dialogue. Producer John W. Considine, Jr., gets another feather in his cap. The picture at its preview won unrestrained applause and kept its viewers in a constant state of merriment.

Running time, 82 minutes. "G."* VANCE KING

*"G" denotes general classification.

Schine Files Answer in U.S. Trust Action

(Continued from page 1)

it will indicate how Schine licensed its films in closed and open towns," he said. He expressed a desire to learn whether the circuit opened what he termed "fighting theatres, to discour- age or fight a competitor."

Judge Knight reserved decision on the request as he did on several others advanced by Simon.

To the latter's request for informa- tion pertaining to admission prices charged by Schine theatres since Aug. 7, 1931, McKay said he would supply the scales for any specific date but that to comply fully would require "someone spending a lot of time on a big job."

Simon also asked for the cost of each theatre acquired by Schine, to which McKay replied: "Let them tell us what particular theatre they want to know about and we'll tell them."

Simon also sought information con- cerning the gross film rentals paid by Schine each year over a period of six years, but McKay suggested it would be much easier to obtain such infor- mation from the distributors. He gave the same reply to the Govern- ment's request for percentages paid by Schine on all pictures leased by the circuit during the same six-year period.

McKay told the court a corporation can not be compelled to compute such wide information from its records, that his client is entitled to "objected facts."

The Government was given 10 days to reply and briefs were ordered filed. In the interim the sealed answers by Schine will be opened by the Govern- ment. Trial of the case is scheduled to open early next year.

'International Lady' Opens at Criterion

"International Lady," Edward Small production released by United Artists, had its premiere amid crowds and lights last night at the Criterion Theatre on Broadway.

The list of personalities in attend- ance was headed by Ilona Massey, feminine lead of the film, which also stars George Brent and Basil Rath- bone. Among those present were Walter Wanger, Alan Curtis, Erroll Flynn, Hildegarde, Lana Turner, Bruce Cabot, Linton Wells, Louis Hayward, License Commissioner Paul Moss, Sheila Barrett and Desi Arnaz.

Adrienne Ames interviewed Miss Massey and other guests from the lobby of the theatre over WHN.

"International Lady" was reviewed by MOTION PICTURE DAILY on Oct. 13.

'Gesture' Roadshow Planned in 10 Cities

United Artists plans to open "The Shanghai Gesture," Arnold Press- burger production, on a roadshow basis in 10 key cities, starting in January, Arthur W. Kelly, vice- president, said yesterday on his re- turn from the Coast.

150 Canadian Theatres in Test Blackout

(*Continued from page* 1)

The total number of theatres in the province is placed at 180, but some of these, rural establishments, were unaffected.

According to rules prescribed by the civilian defense officials, the 80-odd theatres in the Montreal metropolitan district were directed to give pass-out checks to patrons wishing to leave the theatres for a glimpse of the darkened city when the "alert" sounded at 9:45 P.M. The test took place from 10 to 10:30 P.M.

After marquee, lobby, lounge and running lights had been extinguished at 10 P.M., ushers with flashlights were stationed at exits and no one was permitted to leave. This ruling was for the safety of patrons. Emergency battery lighting plants were kept in readiness in case of necessity but were not needed.

Police had cautioned the public against pickpockets and holdup men and theatres provided protection for patrons against prowlers.

Theatre outer lobbies were crowded with pedestrians who were urged by the police to seek shelter in doorways. Despite the excitement, evening theatre business, as reported by managers, was unaffected.

The combined seating capacity of all Quebec houses affected by the blackout is estimated at 120,000. Contributing to this total are 73 houses in Montreal, 11 in Quebec City, four in Three Rivers, and a total of 90 in other Quebec cities and towns.

The blackout affected practically one-sixth of Canadian territory. Civil Protection Committee officers and local police supervised the blackout. All traffic came to a standstill, with lights extinguished.

During a blackout in Montreal earlier in the year, exhibitors reported no noticeable effect on box-office receipts.

Ted Weber Joins New Chicago Daily

Ted Weber, CBS assistant director of publicity, resigned yesterday to become amusement advertisement manager for the new Chicago morning newspaper to be started shortly by Marshall Field and Silliman Evans. Weber will fly to Chicago today to assume his new duties.

Weber, originally from Chicago, has been assistant to Louis Ruppel, CBS director of publicity, for the past two years. Previously, when Ruppel was managing editor of the *Chicago Times,* Weber was in charge of the amusement advertising department.

CHICAGO, Nov. 10.—Wolfe Kaufman, Coast representative of *Newsweek,* has been named film critic of the new Chicago morning daily controlled by Marshall Field.

Crews to See 'Target'

PHILADELPHIA, Nov. 10.—Warners' "Target for Tonight" will be screened tomorrow as an Armistice Day feature on the hangar deck of the *H. M. S. Furious* in the Navy Yard here. The crews of the aircraft carrier and *H. M. S. Manchester* will attend.

NBC Luncheon Tomorrow Commemorates 15th Year

As part of the celebration of the 15th anniversary of NBC, Roy C. Witmer, vice-president in charge of NBC-Red sales, will be host to representatives of 18 trade papers at a luncheon at the Hotel St. Regis tomorrow.



Niles Trammell

Highlight of the celebration will be the special broadcast Saturday night from 11:15 to 1 A.M. in which 2,000 performers will participate and which will be carried by all 243 stations of the combined Red and Blue networks. This program will be broadcast to Europe by short wave and to about 100 stations of NBC's Pan-American Network.

Will Dedicate Studios

Simultaneously with the broadcast, NBC will dedicate several new studios in Radio City. Niles Trammell, president, will make the welcoming address and Secretary of the Navy Frank Knox will participate.

Among the host of artists will be Jack Benny, Bob Hope, Rudy Vallee, Benny Goodman, Kay Kyser, Burns & Allen, Edmund Lowe, Victor McLaglen, Fibber McGee & Molly, Frank Munn, Bing Crosby, Lowell Thomas, Milton Cross, Graham McNamee, Horace Heidt, Fanny Brice, Conrad Thibault, Vivien della Chiesa, Xavier Cugat, Eddie Cantor, the "Quiz Kids," "Johnny" of the Philip Morris show, Ralph Edwards, Ted Steele, Paul Douglas, Upton Close, Walter Winchell, Irene Rich, Frank Black, Lucille Manners, and the U. S. Army, Navy and Marine Bands.

Among those from NBC attending the luncheon tomorrow will be Trammell, Witmer, Frank Mullen, executive vice-president; Mark Wood, treasurer; Albert Dale, John McKay, Edward Hitz, A. E. Showerman, George Frey, Charles Brown and Clayland Morgan.

Press at Luncheon

Trade paper representatives will include Doris Hillman, Martin Davidson, M. H. Shapiro, Norman Weiser, Marvin Kirsch, Sid Weiss, Ted Lloyd, Robert Landry, Benjamin Bodec, Paul Dennis, Irwin Robinson, Judith Cortada, Arthur Robb, Richard H. Dobie, Allan Finn, Manuel Rosenberg, Rosaline Greene, F. C. Kendall, Raymond Bill, Lawrence M. Hughes, Herbert J. Stoeckle, Merle Thorpe, Eldridge Peterson, Sam Shain, Edward Greif, James P. Cunningham, John Stuart, Jeannette Samuelson, David Fredericks, Ellen Hess, Reginald Clough, Dr. Robert L. Swain, Daniel Renick and Ralph Smith.

On Nov. 15, 1926, the date of the first NBC broadcast, the hookup was composed of 19 stations, in contrast with 243 next Saturday.

No Priorities Effect On Policies of FCC

WASHINGTON, Nov. 10.—Recent order of the SPAB halting new construction not essential to defense or public welfare has not brought about any change in the policy of the FCC with respect to applications for construction permits for new stations, it was said today by Chairman James L. Fly.

Fly explained that the Commission has not yet adopted any policy reflecting the SPAB order, but pointed out that it would be a "futile gesture" to grant a construction permit to an applicant who had no chance of getting materials.

Very few permits have been granted since the SPAB order, however, and in those cases it is probable the applicants had assurance that the necessary materials would be delivered, it was stated.

Richard Walsh New President of IATSE

(*Continued from page* 1)

union in 1917 and was elected its business agent in 1926. He was elected an international vice-president in 1934. Walsh for years has been a working stagehand, his last job, as a stage electrician, being at Loew's Metropolitan in Brooklyn.

Browne and Bioff are to be sentenced tomorrow by Judge John C. Knox.

Fourth Largest Air Audience for FDR

President Roosevelt spoke to his fourth largest daytime audience last Thursday when 20 per cent of all set owners interviewed reported listening in, the Cooperative Analysis of Broadcasting disclosed yesterday. The three daytime speeches which ranked ahead of Thursday's address in point of size of audiences were Jan. 20, 1937, 31 per cent; Sept. 21, 1939, 29.8 per cent, and May 16, 1940, 22.8 per cent.

Greater Authority To 'U' Branch Heads

CHICAGO, Nov. 10.—Universal's branch managers are to be accorded greater latitude by the home office in settling local sales questions, William A. Scully, vice-president and general sales manager, told the company's executive sales meeting here over the weekend.

A substantial increase in the company's budget to provide in particular for three new Frank Lloyd productions, was announced at the meeting by Nate J. Blumberg, president. Matthew J. Fox, vice-president, told the district and branch managers that Universal's 1941-'42 production program is 70 per cent completed.

The home office officials left today for New York where a second sales meeting will be held next weekend.

Lawyers Lectured By Appeals Board In Deciding Cas

(*Continued from page* 1)

reduced the clearance to three da and limited its application only future contracts entered into wi Warners and RKO, the respondent rather than to existing contracts, well, which Hall's award errone included.

Referring to the part of attor in the case, the board's opinion said part: "If, as often happens in arbitr tion proceedings under the decr counsel attempt in opening to arg on the effect of facts before they ha been proved, the arbitrator is mo likely to be confused than aided. Th case affords a conspicuous exampl Counsel on both sides opened th hearing with elaborate arguments all conceivable aspects of the case. the result, much of this argument wa irrelevant, some of it misleading, a the bulk of it was out of place in a opening statement.

"An arbitrator endeavoring to justice in an unfamiliar field, particu uarly, as in this case, a layman, is en titled to far more light and less co fusion from the efforts of counsel th this record discloses."

The board apportioned one-third the costs of the case to the complai ant and one-third each against the tw defendants.

First Indianapolis Complaint Is Filed

The first complaint to be filed at th Indianapolis arbitration board was en tered over the weekend by Charles Bowles, owner of the Grand Theatr under construction at Elizabethtow Ky.

The complaint charged that the fiv consenting companies have refused t grant the theatre, scheduled to ope Dec. 1, any run of their product, i violation of Section 6 of the conse decree. The complaint charged tha the only theatre in the town hereto fore has been the Ritz, operated b Crescent Amusement Co., and tha that company now has a second the tre under construction there.

A complaint was filed at the Ch cago arbitration board by Ben Coone and Harold McFarland, operators the Ogden Theatre in that city. Nam ing the five consenting companies, th complaint charged that the clearanc granted the Marshall Square Theatr is unreasonable. It seeks an awar permitting the Ogden to play in se ond week of Chicago release instea of seventh week.

KANSAS CITY, Nov. 10.—Hearin of the clearance complaint of the Dick inson Theatre, Mission, Kan., whic seeks a reduction of its clearance 56 days after Kansas City first run was concluded at the arbitration boar here with motions to dismiss by re spondent distributors. W. H. Clou arbitrator, directed the attorneys t file briefs by Dec. 9 when oral argu ment will be heard.

J. Noble Braden, director of arbi tration tribunals for the America Arbitration Association, will discus operations of the motion picture arbi tration system at a meeting of th Erie County Bar Association in Buf falo tomorrow.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 95 NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 12, 1941 TEN CENTS

We'll Clear Matters Up,' Walsh Says

'Give Us a Break,' New IA Head Pleads

By EDWARD GREIF

"There will be no general changes in the IATSE. No general changes are needed. We've been in existence for 52 years and this is the first reflection on our record. Give us a chance and we'll clear that up with our actions."



Richard Walsh

Thus spoke the new president of the IATSE, Richard F. Walsh, receiving visitors for the first time since assuming his new post last Sunday as successor to George E. Browne.

(Continued on page 6)

Ascap Election to Be Test of Strength

The Ascap board of directors may meet within the next few weeks to elect officers for the ensuing year. The election is expected to provide a test of the strength of Ascap directorial and membership elements which reportedly favor one or more changes in the roster of Ascap officers as a result of the warfare with the major networks over new Ascap contracts.

No definite date for an election meeting of the board has been set yet, but there is a likelihood that the meeting may be held before the end

(Continued on page 8)

Equity to Require Dues from Agents

Actors Equity, beginning Dec. 1, will require employment agents and personal representatives to pay an initiation fee of $100 and dues of $25 a year, the Equity council ruled yesterday. Thirty-two agents now licensed by Equity will not have to pay the initiation fee. The new ruling will apply to applications for agents' permits, 23 of which are pending.

Broadway Enjoys Smash Armistice Day Business

Taking advantage of the observance of Armistice Day, with many business houses closed, in addition to a school holiday, New Yorkers yesterday brought a box-office boom to Broadway theatres.

Other key cities reported similarly strong business for the day.

Yesterday's matinee business was counted little short of tremendous by film houses as well as the legitimate theatres on Broadway. Standees and the SRO sign were the cheerful order of the day for managers up and down the street.

The throngs in the downtown sector, many of whom found their way into theatres, however, were almost entirely the domestic product, since air lines and railroads reported no unusual influx of visitors.

While business tended to slacken off a little at the film houses in the evening, as is usual on the night of a holiday when a working day follows, the legitimate theatres enjoyed a highly successful evening as well as matinee trade. Only eight legitimate shows played matinees yesterday, most of them not deviating from their usual weekly matinee days, and the eight uniformly reported prodigious busi-

(Continued on page 9)

Stockholders Of RKO Will Meet Jan. 15

The first meeting of RKO stockholders since the company's emergence from reorganization almost two years ago is scheduled to be held about Jan. 15, it was learned yesterday.

The meeting will elect a new board of directors, since the terms of all 13 members of the present board will expire Jan. 26. The present board was designated for a two-year term by the Federal court at the conclusion of the RKO reorganization.

Under the company's by-laws, holders of RKO preferred stock will be entitled to elect one-third of the members of the new board, or either four or five of the new total. The by-laws provide that whenever accumulated unpaid dividends on the preferred amount to $7.50 or more a share, that class of stock shall be entitled to elect one-third of the board.

(Continued on page 6)

Browne and Bioff to Hear Sentence Today

George E. Browne and William Bioff will appear for sentencing before Federal Judge John C. Knox at noon today on the three counts of an extortion indictment of which they were found guilty by a jury last Thursday. Both men have been in the Federal House of Detention since the verdict because Judge Knox refused bail.

Roosevelt's Armistice Day Address Estimated Heard by 30,000,000 in U. S.

One of the largest audiences ever to listen to a speech delivered in the daytime heard President Roosevelt's Armistice Day address from Arlington Cemetery, approximately 30,000,000 in the United States alone, CBS declared yesterday following a survey made by C. E. Hooper, Inc. The survey, which was conducted while the speech was still on the air, showed that 30 per cent of all receivers were tuned to the President. The address began at 11 A.M.

Radio executives said the listening audience was increased by the fact that the talk took place on a national holiday, but stated that it was remarkable because it occurred before noon and lasted only about 10 minutes.

A number of calls came into NBC offices as a result of a mishap to the network's microphone. As the announcer was introducing the President, someone struck the microphone, thus causing the last syllable of the word "Washington," to be repeated four or five times. The listeners demanded to know whether saboteurs were attempting to keep the President off the air. NBC calmly reported that it was only somebody kicking the microphone at the wrong time.

Trial in Minn. 5-Block Case Starts Dec. 15

Preparation Is Cause of Delay from Nov. 24

Trial of the criminal actions against Paramount, RKO and 20th Century-Fox for alleged violations of the Minnesota anti-block-of-five law in county court at St. Paul is scheduled to start Dec. 15 under an agreement made by company counsel with state and county authorities, home office legal departments were advised yesterday.

At the time of the arraignment of defendants, trial was tentatively set for Nov. 24, but preparation of the cases will require additional time, necessitating the setting back of the trial date, it was stated.

The original equity actions begun by the consenting distributors in an unsuccessful effort to obtain an injunction to halt enforcement of the state law pending a test of its constitutionality will be left in abeyance pending the outcome of trial of the criminal actions. The latter are expected to provide a quicker and more definitive test of the Minnesota anti-

(Continued on page 6)

Skouras on Coast For FWC Parleys

HOLLYWOOD, Nov. 11.—Spyros Skouras, head of National Theatres, arrived here last night with his brother, Charles, from Denver, where the latter, Fox West Coast president, presented awards in the Spyros Skouras showmanship campaign.

Both brothers will address a meeting of the executive personnel of Fox West Coast tomorrow morning and present awards to local winners. Later tomorrow they will go on to San Francisco to distribute drive awards there.

Benchley to Be M.C. At Ampa Tomorrow

Robert Benchley will act as master of ceremonies at the Ampa short subjects luncheon at the Hotel Edison tomorrow. Mrs. Besa Short, head of the short subjects department of Interstate Theatres, Dallas, will be the guest of honor and chief speaker.

Among the personalities who are scheduled to appear are: John Kieran,

(Continued on page 6)

Maugham Comedy Will Open Tonight

"Theatre," a new comedy by Guy Bolton and Somerset Maugham, produced by John Golden and starring Cornelia Otis Skinner, opens tonight at the Hudson. Arthur Margetson, Viola Roache, Helen Flint, John Moore and Francis Compton also are in the cast.

Hertz, Jr., Travelers Aid Fund Chairman

John D. Hertz, Jr., of Buchanan & Co., advertising agency, is chairman of a committee of 15 advertising, publishing and publicity executives who will assist in the $50,000 emergency appeal of the Travelers Aid Society of New York. The Hertz appointment was made by Donald S. Stralem, society president.

The 14 named by Hertz are: Martin Quigley, Quigley Publishing Co.; Lou Thomas, the Biow Company; Caldwell Swanson, J. Walter Thompson Co.; Richard Berlin, Hearst Magazines; Wendy Iglehart, *Harper's Bazaar,* John W. Alicoate, *Film Daily;* James M. Cecil, Cecil & Presbrey, Inc.; Erwin Swann, Lord & Thomas; Thomas H. Beck, Crowell-Collier Co.; Fulton Oursler, *Liberty* magazine; William Randolph Hearst, Jr., New York *Journal-American;* Tom Fizdale, Tom Fizdale, Inc.; Gardner Cowles, Jr., *Look* magazine, and Conde Nast of Conde Nast Publications.



THE CONTINENTAL

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Personal Mention

OSCAR A. DOOB, advertising and publicity director for Loew Theatres, is in Cleveland.

•

WALTER GOULD, United Artists foreign manager, was confined to his home by illness yesterday.

•

JACK SEGAL, Columbia assistant foreign manager, arrived from Buenos Aires by plane yesterday. J. A. McCONVILLE, foreign manager, will remain in South America for some time.

•

LEON NETTER will leave for Atlanta today.

GEORGE WELTNER, Paramount assistant foreign manager, is en route to South America.

•

EDWARD C. RAFTERY of the O'Brien, Driscoll & Raftery law firm is in New Hampshire on a combined business and rest trip.

•

ISABELLE AUSTIN of the publicity staff of the Roxy Theatre leaves tomorrow for a 10-day Florida vacation.

•

ROBERTO SOCAS has returned from South America.

Conn. MPTO Plans Trade Dinner Dec. 9

NEW HAVEN, Nov. 11.—The Connecticut MPTO will sponsor a first annual formal dinner-dance for representatives of all branches of the film industry on Dec. 9, at the Hotel Taft. Dinner will be followed by dancing and entertainment.

George H. Wilkinson, Jr., is general chairman of the event; Samuel Seletsky, treasurer; Herman M. Levy, secretary; Harry F. Shaw, chairman of decorations, music and lighting; Lou Brown, publicity; Lou Schaefer, entertainment; Maxwell Hoffman, tickets and seating, assisted by Edwin S. Raffile, Samuel Rosen, Irving C. Jacocks, Jr., Peter Perakos, Adolph G. Johnson, Lawrence C. Caplan and Joseph F. Reed.

Dougherty to Resign One Club for Other

WASHINGTON, Nov. 11.—Vincent Dougherty announced today he will give up the presidency of the District of Columbia Motion Picture Salesmen's Club in order to give maximum time to his forthcoming duties as Chief Barker of the Variety Club, to which he was elected yesterday.

He will be presented to club members and guests Saturday night by Hardie Meakin, outgoing chief barker, at the eighth annual banquet and dance at the Willard Hotel. He will be installed early next year.

Carter Barron, chairman of the banquet program, announced that the stage shows of Warner's Earle and Loew's Capitol theatres have been added to the entertainment bill. The headliners will be Abbott & Costello.

Boston House Plans Stage Show Series

BOSTON, Nov. 11. — Xavier Cugat and his orchestra will open a week's engagement on the stage of the Metropolitan Theatre on Friday. His appearance will mark the first in a new series of in person presentations to be featured at the Metropolitan whenever outstanding names are available.

Featured with Cugat during his engagement will be Carmen Castillo, in songs of Latin America; Lina Romay, Miguelito Valdes, and Larry Adler, harmonica virtuoso.

Republic in Trinidad

ALBANY, Nov. 11. — Republic Pictures (Trinidad), Inc., has been chartered here, for the operation of the company's own exchange in Trinidad.

Zanuck Reappointed Coast Council Head

HOLLYWOOD, Nov. 11.—Bette Davis, new president of the Academy of Motion Picture Arts and Sciences, has named Darryl F. Zanuck, vice-president in charge of 20th Century-Fox production, to serve a third term as chairman of the Academy Research Council.

While the appointment is usually made near the end of the year, the advance selection of Zanuck for 1942 was voted by acclamation by the Academy board late last week, in recognition particularly of Zanuck's work in the supervision of training films for the Army.

Straus Gives Party For 'Night of Stars'

Nathan Straus, U. S. Housing Authority Administrator, was the host at a cocktail party at the Hotel Astor to members of the "Night of Stars" committee, of which he is chairman. Straus was presented a drawing by Arthur Szyk, Polish artist, for the cover design of the United Palestine Appeal yearbook, published for the event to be held at Madison Square Garden Nov. 26. Marvin Schenck, producers' committee chairman, was one of the speakers.

'Pulham' Opens in Boston December 4

The M-G-M feature, "H. M. Pulham, Esq.," will have its premiere on Dec. 4 at Loew's State and Loew's Orpheum in Boston, chief locale of the story by J. P. Marquand.

20th-Fox Union Joins CIO

The 20th Century-Fox Employes Guild has become the sixth independent union in home offices to join the Screen Office & Professional Employes Guild, Local 109, CIO, it was announced yesterday by CIO officials. The vote, taken at a meeting Monday night, was "almost unanimous," it was reported.

Capital Leads 'U' Drive

WASHINGTON, Nov. 11.—The local Universal film exchange has been notified that it has won first place in the company's current contract campaign. Nationally, the Washington branch's salesmen ran one-two. First was Joseph Young, of the sales staff, followed by Sam Tabor.

Newsreel Parade

THE launching of the new giant Navy plane, the Mars, in Maryland, captured wide newsreel attention in the midweek issues, while the film industry USO collection also was featured. As the football season reached its peak, the outstanding weekend games are pictured. The reels' contents:

MOVIETONE NEWS, No. 19.—Lar oil tanker at Norfolk, Va. Navy's g plane, the Mars, launched in Mary Train wreck kills 12 at Dunkirk, O. Roosevelt takes consumer pledge ag waste. Film industry turns over $9 USO collection. Windsors leave Miam Bahamas. Bathing girls seen in Flo Party at San Francisco zoo. Footb Notre Dame-Navy, Harvard-Army, Pitt burgh-Fordham.

NEWS OF THE DAY, No. 217—Gia Navy plane is launched. Launching of tanker at Norfolk, Va. Nurses arrive Iceland to join U. S. armed forces. US film industry collection turned over Thomas Dewey. San Francisco zoo le down the bars. Football: Pittsburgh-For ham, Notre Dame-Navy.

PARAMOUNT NEWS, No. 22—Nation horse show at Madison Square Garde New York. USO industry collection turn over to Thomas Dewey. Miami bathi girls on parade. New giant Navy plane launched. Twelve dead in Ohio train wrec More U. S. troops arrive in Iceland. Br zilian submarines are tested. Footba Pittsburgh-Fordham, Notre Dame-Navy.

RKO PATHE NEWS, No. 22.—Kearn survivors seen in Iceland. Cameraman a companies convoy in North Atlantic. M Roosevelt takes consumer pledge again waste. USO collection of film industry t tals $943,684. Army jumpers featured horse show in New York. Football: Ha vard-Army, Notre Dame-Navy.

UNIVERSAL NEWSREEL, No. 31. Kearney survivors land in Iceland. N giant Navy plane launched in Marylan Anzac fliers in Honolulu. Windsors lea Miami for Bahamas. USO industry coll tion check goes to Thomas Dewey. Civili Defense Week marked in Washingt Jewelry fashions shown in New Yo Horse show in New York. Football: Not Dame-Navy.

Arbitration Clerk in Milwaukee Resign

J. L. Loell, arbitration board cler at Milwaukee, has resigned his pos Sam Perry of American Arbitrati Association headquarters here left f Milwaukee yesterday to appoint a su cessor.

James Murphy of AAA headqua ters is en route to the Coast on a vis to industry arbitration tribunals.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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and that willowy fugitive fro
a termite!...Four of the bigge
names you ever had—in TH
LAUGH LIFT OF THE YEAR



PRODUCED and DIRECTED BY ALLAN DWAN

STORY AND SCREEN PLAY BY JAMES V. KERN

RKO RADIO PICTURES

York' Holds Frisco Pace With $17,000

SAN FRANCISCO, Nov. 11.—"Sergeant ork" held its pace with $17,000 in e second week at the Warfield. "The tle Foxes" in its third week at the den Gate, with vaudeville, drew ,500. "Honky-Tonk" drew $4,800 the fifth week at the St. Francis.

stimated receipts for the week ing Oct. 28-30:

e Little Foxes" (RKO)
OLDEN GATE—(2,850) (39c-44c-55c) 7 s, 3rd week. Stage: vaudeville. Gross: 2,500. (Average, $15,000)
Niagara Falls" (U. A.)
International Lady" (U. A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) days, 2nd week. Gross: $6,800. (Aver-ge, $8,000)
"Unfinished Business" (Univ.)
Moonlight in Hawaii" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 ays. Gross: $9,000. (Average, $8,000)
"Unholy Partners" (M-G-M)
"Ice-Capades" (Rep.)
PARAMOUNT—(2,740) 15c-35c-40c-50c) days. Gross: $12,800. (Average, $11,-00)
"Weekend in Havana" (20th-Fox)
"Riders of the Purple Sage" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, nd week. Gross: $13,000. (Average, 16,000)
"Honky-Tonk" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) days, 5th week. Gross: $4,800. (Aver-ge, $4,500)
"The Stars Look Down" (M-G-M)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $1,000. (Average, $1,000)
"Sergeant York" (W. B.)
WARFIELD—(2,680) (25c-50c-65c) 7 days, nd week. Gross: $17,000. (Average, 12,000)

Business' Scores $14,000 in Capital

WASHINGTON, Nov. 11. — Despite competition from sports and an indoor benefit circus, receipts held up well. RKO-Keith's had $14,000 with "Unfinished Business."

Estimated receipts for the week ended Oct. 29-30:

"Honky Tonk" (M-G-M)
LOEW'S PALACE —(2,300) (39c-55c) 7 days, 3rd week. Gross: $11,500. (Aver-ge, $10,000)
"Great Guns" (20th-Fox)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $7,500. (Average, $4,000)
"Unfinished Business" (Univ.)
RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $14,000 (Average, $10,000)
"Major Barbara" (U. A.)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Frank Gaby, Marian Belett & English Bros., Capitolians, Rhythm Rockets. Gross: $14,000. (Average, $15,500)
"Ladies in Retirement" (Col.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Equillo Bros., Fayne & Foster, Four Samuels, Jackie Miles, Roxyettes. Gross: $15,700. (Average, $15,000)
"Sun Valley Serenade" (20th-Fox)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,800. (Average, $3,500)

Three Firms Formed

ALBANY, Nov. 11. — Three new companies have been incorporated here. They are: Fama Pictures Corp., New York, by Nat Wachsberger, Mary Crystal and Hannah Gurson; Gutta Theatrical Productions, Inc., Brooklyn, by Gutta and Samuel Goldenberg and Arnold Fleitman, and Polski Teatr Narodowy, Inc., New York, by Ruth Handler, Gertrude Fried and Beatrice Loeb.

Reviews

"The Stork Pays Off"

(Columbia)

THIS has a frothy yarn about racketeers and a children's nursery. An ex-beer baron inadvertently comes into possession of the "Storks' Club" and assigns a comic trio of henchmen to watch over the youngsters. The developments thereafter are amusingly preposterous and are good for many laughs.

The racketeer finds his new property to his liking when he discovers the girl in charge is Rochelle Hudson. With the assistance of Maxie Rosenbloom, who answers to "Brains," and others, he supports the nursery to the full. An underworld rival presents a problem when he plants the defunct body of "Six Fingers Stimson" in the kitchen closet just as a children's welfare committee is checking up. "Brains" and his colleagues have a hectic time covering up but are successful, and all goes well again. Victor Jory is the racketeer who turns children's benefactor. It is all played for laughs.

Running time, 70 minutes. "G."* EUGENE ARNEEL

"Double Trouble"

(Monogram)

Hollywood, Nov. 11

FIRST of a proposed series of comedies starring Harry Langdon and Charles Rogers, "Double Trouble" drew its quota of laughs at its Hollywood preview where its slapstick and buffoonery apparently pleased a mixed audience of young and old. The veteran film funsters are supported by Catherine Lewis, showing promise in an ingenue role; Louise Curry, Benny Rubin, Dave O'Brien, Mira McKinney, Frank Jaquet and others.

A bean cannery owner agrees to care for what he believes to be two youngsters from England for the "duration," and when they arrive, they turn out to be dim-witted adults. They complicate the affairs of his family and his business, winding up by permitting a $100,000 diamond to be mistakenly sealed in a can of beans. Business prospers when customers hope to buy the can which contains the gem, and the major portion of the story is devoted to efforts to get back the jewel.

William West directed the picture for producer Dixon R. Harwin and his associate, Barney A. Sarecky.

Running time, 63 minutes. "G."* VANCE KING

"The Devil Pays Off"

(Republic)

THE story here is of the traitorous operator of an American steamship company whose mercenary inclinations bring him under the influence of "foreign powers," and of a U. S. Navy investigator seeking to solve the mystery of diverted cargoes.

The script contains a number of humorous lines in dialogue, which relieve the melodramatic sequences with a quick change of mood. Somewhat unusual for such fare is the employment of what appears to be a psychological study of the guilty party, who becomes unnerved at the sight of one of his captains whose death he had decreed.

The story is adequately performed by J. Edward Bromberg, Osa Masson, William Wright, Margaret Tallichet and others. John H. Auer directed. Albert J. Cohen was associate producer.

Running time, 70 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Snowstorm Dampens Business in Omaha

OMAHA, Nov. 11.—Adverse weather topped by a weekend snowstorm cooled business here. "Honky Tonk" got $8,100 at the Omaha for the best of a mediocre week.

Estimated receipts for week ending Nov. 5-6:

"You Belcng to Me" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
BRANDEIS—(1,200) (30c-44c) 7 days. Gross: $4,200. (Average, $4,000)
"Honky Tonk" (M-G-M)
"Private Nurse" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,100. (Average, $6,000)
"Sundown" (U.A.)
"Buy Me That Town" (Para.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,500. (Average, $7,000)
"Nothing But the Truth" (Para.)
"Week End in Havana" (20th-Fox)
PARAMOUNT—(3,000) (30c-44c) 7 days, 2nd week. Gross: $3,600. (Average, $5,000)

'Yank' Is Montreal Smash With $11,000

MONTREAL, Nov. 11.—"A Yank in the R.A.F." played to S.R.O. for the first few nights of its showing here at the Palace, and topped local receipts with $11,000.

Estimated receipts for the week ending Oct. 30:

"Lydia" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days, 3rd week. Gross: $3,500. (Average, $4,000)
"The Little Foxes" (RKO)
LOEW'S—(2,900) (35c-47c-67c) 7 days, 2nd week. Gross: $5,500. (Average, $7,000)
"Married Bachelor" (M-G-M)
"Down in San Diego" (M-G-M)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $3,000. (Average, $2,500)
"A Yank in the R.A.F." (20th-Fox)
PALACE—(2,200) (30c-45c-62c) 7 days. Gross: $11,000. (Average, $7,000)
'The Feminine Torch" (M-G-M)
"Too Many Blondes" (Univ.)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $5,000. (Average, $4,000)

43 New Films Now Shooting; 12 Completed

HOLLYWOOD, Nov. 11.—Forty-three pictures were before the cameras this week, as 17 were started, 12 finished and one suspended. Twenty were being prepared, and 82 were being edited. RKO was the busiest studio, with eight in work.

The tally by studio:

Columbia

Finished: "The Devil's Trail."
In Work: Ellery Queen No. 5.
Started: "The Man Who Returned to Life," "Martin Eden," "Shut My Big Mouth," "Lawless Plainsmen."

M-G-M

Finished: "Mr. and Mrs. North."
In Work: "Joe Smith, American," "China Caravan," "Born to Sing," "I Married An Angel," "We Were Dancing."
Started: "Mrs. Miniver."

Monogram

Finished: "Lone Star Law Men."
In Work: "Boy of Mine," "Riot Squad."
Started: "Freckles Comes Home."

Paramount

Finished: "The Girl Has Plans," "The Fleet's In."
In Work: "This Gun for Hire," "True to the Army," "Dr. Broadway."

RKO

Finished: "Joan of Paris."
In Work: "The Magnificent Ambersons," "Syncopation," "Sing Your Worries Away," "Valley of the Sun," "Mexican Spitfire at Sea."
Started: "The Mayor of 44th Street," "The Falcon Takes Over," "The Tuttles of Tahiti."

Republic

Finished: "West of Cimarron," "Red River Valley," "Behind Broadway Lights" (formerly "Mr. District Attorney and the Carter Case.")
In Work: "Lady for a Night."
Started: Untitled Don Barry western.

20th Century-Fox

Finished: "Blue, White and Perfect."
In Work: "Song of the Islands," "Roxie Hart," "On the Sunny Side."
Started: "To the Shores of Tripoli," "A Gentleman at Heart," "You Can't Always Tell," "Tales of Manhattan" (sequence number two).
Suspended: "Son of Fury."

Universal

Finished: "The Panama Kid."
In Work: "Destiny," "Frisco Lil."
Started: "Temporary Bride."

Warners

In Work: "Juke Girl," "Always in My Heart," "Arsenic and Old Lace."
Started: "In This Our Life," "The Night Before Christmas."

Conn. Allied Official To Make Decree Poll

NEW HAVEN, Nov. 11.—Allied Theatre Owners of Connecticut today announced plans to have its newly elected secretary, Maxwell Alderman, canvass independent exhibitor opinion in this territory on workings of the industry consent decree. Lawrence C. Caplan, the retiring secretary, has been given a vote of thanks by the organization.

Trial in Minn. 5-Block Case Starts Dec. 15

(*Continued from page* 1)

decree law, it is believed by company attorneys.

In setting the date for start of trial in the third week of December, provision was made for a recess over the Christmas and New Year's holidays, indicating that the first round of the trial is not expected to be completed before the end of the year.

Meanwhile, Warners is scheduled to go before Federal Judge Henry W. Goddard on Friday to argue its application for a release from the sales provisions of the decree insofar as its Minnesota operations are concerned. That the application will be approved is taken for granted by industry attorneys, inasmuch as Judge Goddard, in approving an identical application by Paramount over the objections of the Government two weeks ago, asserted that the consenting companies are entitled to the relief sought under Section 23 of the decree. The section provides that they shall be relieved of compliance with the decree when any of its provisions come into conflict with state or other laws.

Loew's, RKO and 20th Century-Fox have no plans for following the Warner-Paramount lead on Minnesota selling at this time, so far as could be learned yesterday.

Missouri 'Some Run' Complaint Dismissed

ST. LOUIS, Nov. 11.—The some run complaint of Floyd Lowe of the Star, Lebanon, Mo., was dismissed today by Arbitrator William H. Stead, Washington University professor. Lowe originally had named all five consenting companies, but had settled with Warners and 20th Century-Fox before hearing on his complaint started.

Stead said Lowe's contention that he had not been able to buy any of the companies' pictures was not borne out by evidence submitted. The arbitrator held Lowe had never made application for their product before the arbitration started. Stead assessed charges against Lowe.

Baltimore Clearance Hearing to Resume

WASHINGTON, Nov. 11.—The Linden Theatre, Baltimore, clearance hearing will be resumed Thursday by Milton W. King, arbitrator. Sessions consuming a total of 13 hours were held last week. The complaint is against Vitagraph, Paramount, RKO, Metco Theatres, Inc., and the Grand Co.

November 26 has been set for hearing of the clearance complaint by the Charles Theatre, La Plata, Md., against Loew's. John H. Taylor, operator of the Charles, cited the Marlboro Theatre, operated by Sidney Lust, as receiving undue clearance.

FPC Renews Operation

TORONTO, Nov. 11.—Famous Players Canadian Corp. has renewed an agreement with the Franklin Hershon Theatres, Ltd., for the operation of seven houses in the Maritime Provinces.

'We'll Clear Matters Up, Give Us a Break,' Asks IA Chief

(*Continued from page* 1)

"There are over 50,000 men looking to the IA for protection. Give us a break," he pleaded. "We'll go along and clear things up."

Asked about the two per cent assessment fund which had been under Browne's exclusive jurisdiction, Walsh declared that "we're looking that over." He explained that it had been discontinued more than a year ago but that he knew little about it as Browne had controlled it himself.

Will Help if Asked

Walsh said that, with all IA locals having complete autonomy, there is no occasion for the IA to negotiate any contracts or step in on local situations. "We'll give them all the help they need if they ask for it," he promised.

The first specific job Walsh will undertake is to help the IA locals on the Coast to obtain their contracts from the studios. The locals there have been negotiating themselves and have an offer of a 10 per cent increase under advisement, he explained, and the IA will offer them as much help as they need.

Jurisdictional disputes among IA locals will be adjusted by the IA before any contracts are signed, he said, but where an IA local has a dispute with a local of another international or independent union, it will be either a matter for the AFL to determine or left to the local to iron out, except where aid from the IA is specifically requested.

Financially, he said, the IA is in the best position it has ever been. No change is planned in the manner of rendering financial statements, he said, as each local receives quarterly reports. It is not planned to publish these reports generally, he said.

Executive Board to Meet

Walsh cleared up reports that he will hold his post only until the next convention. He explained that the IA constitution had been amended and that when Browne had been elected in 1940 the first four-year term had gone into effect. However, the executive board will meet in January to make plans for the regular biennial convention to be held in 1942, he said.

Asked whether he would take any steps about the dual union situation existing between Local 306 and the Empire State Operators Union in New York City, Walsh repeated that the IA would not interfere with local matters unless aid was requested. Referred to the repeated pleas for aid from Local 702 in its efforts to organize Eastern laboratories, Walsh declared that all Eastern laboratories would be in the IA fold in the near future. All exchange workers' locals were granted the right to negotiate their contracts individually at the Oct. 25 meeting of the IA executive board, Walsh said, and nothing would be done to interfere unless a local asked for aid.

Walsh said there is no need for taking measures to restore membership confidence in the IA leadership. "We have that confidence right now. Not a single communication has been received from any local asking for changes," he said, pointing to a pile of letters and telegrams stacked on his desk.

Walsh is a stocky, clean-shaven man. He is married and lives in Brooklyn. The Walshes have no children. He joined Local 4, the stagehands' union in Brooklyn, in 1917 as an apprentice electrician. In 1924, he was elected president of the local and became its business agent in 1926, a post which he held until 1937 when he moved to IA headquarters. He was elected an IA vice-president in 1934 and was its third vice-president up to last Sunday. In 1939, his local again named him president, an unpaid post.

Studio Locals Look To Walsh for Peace

HOLLYWOOD, Nov. 11. — Locals of the IATSE here today looked to the administration of president Richard F. Walsh for action on the long seething jurisdictional disputes which have interrupted the locals' affairs since 1933. Most important of all is the fight between the American Society of Cinematographers and Studio Photographers Local 659 over first cameramen who must be ASC members on the major lots and must hold IA cards on independent lots and on location.

Sound Equipment Dispute

Second is the dispute between the IA Sound Technicians Local 695 and Local 40 of the International Brotherhood of Electrical Workers over which group should have control over certain workers on sound equipment. Among other jurisdictional disputes are those between IA Property Men's Local 44 and Studio Carpenters Local 946, over prop makers, and between IA Laborers Local 727 and Studio Utility Employes Local 724 of the General Construction Workers International Union, over back-lot laborers. The electricians, carpenters, and general construction workers international unions are all part of the studio basic labor agreement.

All but the dispute with the General Construction Workers International Union had their origin in the ill-fated IA strike in 1933 when the IA locals' membership dispersed to other AFL units or did not carry union cards. The fight with the Studio Utility Employes came as a result of the 1937 Federated Motion Picture Crafts strike after which the IA took over about half of Local 724's membership.

Early Xmas Buying Starts in Cincinnati

CINCINNATI, Nov. 11. — Exhibitors here are anticipating an early start of the usual pre-Christmas buying slump, with the official opening of the shopping season.

Mayor James G. Stewart, acting on the plan proposed by the Retail Merchants Association, has proclaimed the opening of the Christmas season this week, and all local stores are decorated in holiday fashion.

Stockholders Of RKO Will Meet Jan. 15

(*Continued from page* 1)

On Nov. 1, the accumulated unpaid dividends on the preferred amounted to $10.50 per share.

However, transfer of that voting privilege to the preferred stock is not expected to result in any change which would not have occurred in the election of directors entirely by common shareholders, since the Atlas Corp.-RCA interests, which together hold a majority of the preferred, likewise hold a majority of the common.

The new board will probably meet late in January to elect officers.

Officers Reelected By Chicago Union

CHICAGO, Nov. 11.—All executive officers of the Chicago Film Exchange Employes' Union, local B45, have been reelected. Votes were cast by 150 of the 215 members. Reelected were Sam Lamasky, president; Roy Rodman, vice-president; Kenneth Siem, Secretary-treasurer, and George W. Busch, business manager; James Castle, sergeant-at-arms.

The new executive board is comprised of Anna Birhanzle, Ted Butler, Joseph Baron and Mary Sitton. New trustees are James Tobin, Dorothy Crawford and Olivia Kennedy.

Cartoonists to Join Studio Union Group

HOLLYWOOD, Nov. 11.—The Screen Cartoonists Guild, affiliated with the Painters Brotherhood, last night voted to join the Conference of Studio Unions, intra-industry organization being formed of A. F. of L. locals having complete autonomy.

Benchley to Be M.C. At Ampa Tomorrow

(*Continued from page* 1)

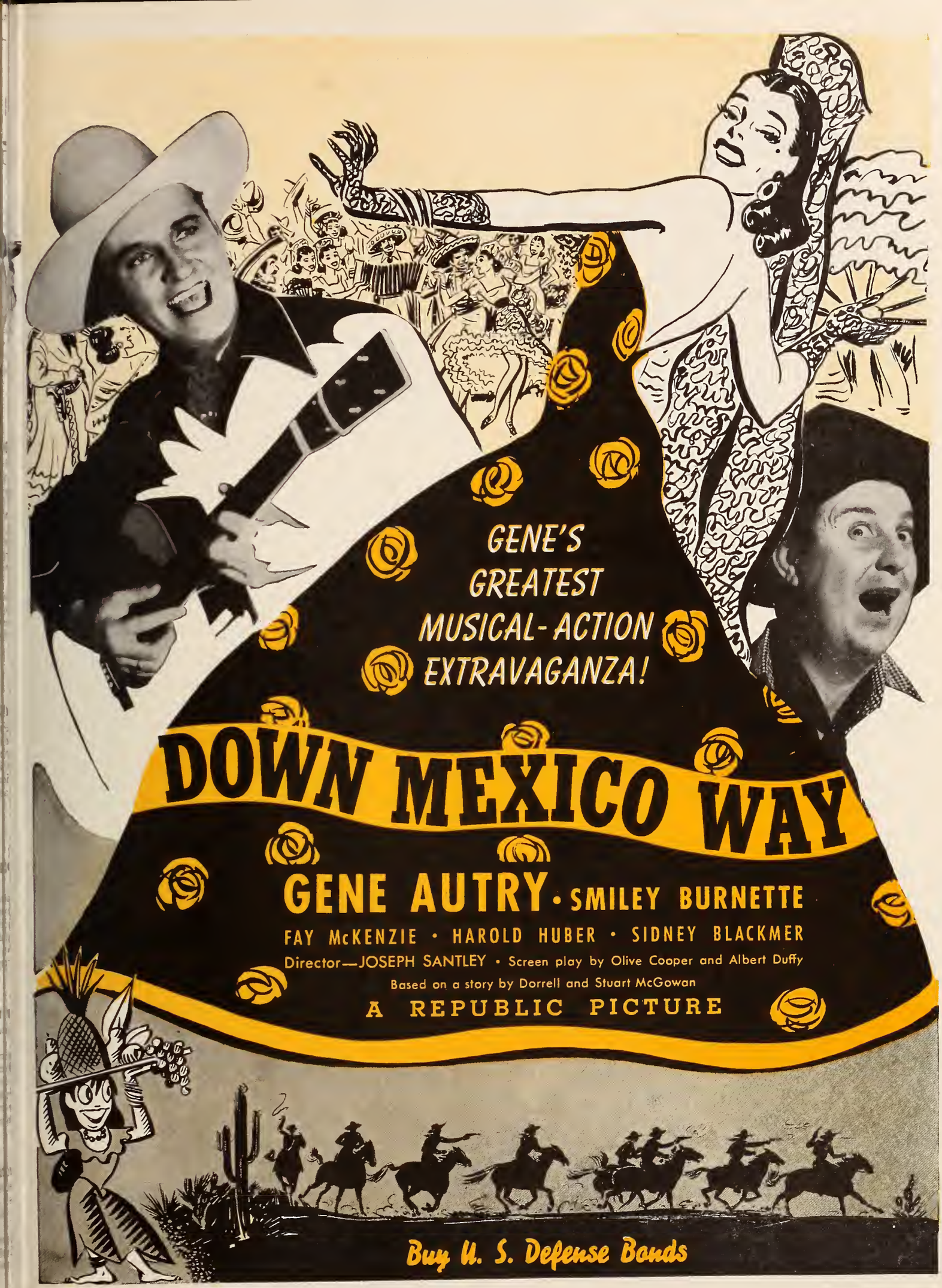
Juanita Juarez, Don Terry, Grantland Rice, Sterling Holloway, Fannie Hurst, Craig Wood, Billy Vine, Ed East and Polly, and Paul Douglas. The Quiz Kids will be heard in a specially recorded broadcast poking fun at the film industry.

Plan Bomb Sight Film

HOLLYWOOD, Nov. 11.—RKO plans to make "Bombardier," a story of Army Air Service bomb sight operations, with the cooperation of the U. S. Army. Reeves Espy, who will produce, has gone to Barksdale Field near Shreveport, La., to confer with Major Ralph Jester of the Army General Staff on plans.

World Acquires Produc

World Pictures Corp. has closed five-year deal with Esquire Films the United States, Inc., for the distribution of Esquire films in the U. and possessions. In the first group are 14 films, including "This England," "The Great Horizon," "Common Touch" and others.


GENE'S
GREATEST
MUSICAL-ACTION
EXTRAVAGANZA!
DOWN MEXICO WAY
GENE AUTRY • SMILEY BURNETTE
FAY McKENZIE • HAROLD HUBER • SIDNEY BLACKMER
Director—JOSEPH SANTLEY • Screen play by Olive Cooper and Albert Duffy
Based on a story by Dorrell and Stuart McGowan
A REPUBLIC PICTURE
Buy U. S. Defense Bonds

Mutual Shows 59.1 Increase For 10 Months

Mutual yesterday resumed the practice of releasing its gross billing figures after having discontinued them last January by agreement among the networks. The figures announced showed that Mutual has increased its normal business, excluding political billings, by 59.1 per cent for the first 10 months of this year over the same period in 1940.

No explanation was given by Mutual for the resumption of the disclosure of business figures. For the first 10 months of 1941, Mutual gross billings were $5,393,522, an increase of 51.4 per cent over the total of $3,562,509 for same period last year. However, the increase amounts to 59.1 per cent when the political billings are disregarded.

October Comparison

The gross for October, 1941, was $839,829, a rise of 37.3 per cent over the total of $611,794 for October, 1940, not including political business, and seven per cent over the $784,676 total including political billings.

Because of the holiday, it could not be learned yesterday whether the other networks also planned to release figures. At the time it was decided to discontinue the figures, the principal reason given was that gross billings, which do not reflect discounts, are not an accurate indication of business. In some circles it was said that the radio industry feared a taxation move if the constantly mounting revenues were published frequently.

At the time, the National Association of Broadcasters undertook to develop a plan for units of sponsored time to be reported but the method was never formulated. Subsequently, in May, during the course of the Ascap fight, Mutual and many of its affiliated stations, withdrew from NAB.



RED CROSS ROLL CALL - NOV. 11-30

Notes from Hollywood

Hollywood, Nov. 11

JANET BLAIR has been given the feminine lead in Columbia's "Trinidad," opposite PAT O'BRIEN and BRIAN DONLEVY. The comparative newcomer, under Columbia contract, replaces CLAIRE TREVOR, tied up on "Martin Eden," another Columbia picture. MISS BLAIR'S only other role of prominence was in "Three Girls About Town."

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Twentieth Century-Fox has purchased "Road to Yesterday," unpublished novel by STANLEY RUSSELL, and M-G-M acquired "The Harvey Girls," by ELEANORE GRIFFIN and WILLIAM RANKIN, dealing with five waitresses in the famous Harvey Houses. . . . DON TERRY, who plays the title role in Universal's serial, "Don Winslow of the Navy," is on a personal appearance tour in connection with the opening of the chapter play in Eastern cities. . . . HENRY WILCOXON has been added to the cast of "Mrs. Miniver" at M-G-M. . . . HAL FORBES, vice-president in charge of production for Sunbeam Film Productions, and NATE WATT, director, have returned from New York. . . . Three new musical numbers have been written for M-G-M's version of "Rio Rita."

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Cantinflas, stage-screen star of Mexico, has arrived here to discuss with RKO Producer Pare Lorentz his first American film. . . . Al Rogell has been assigned by Republic to direct "Moonstruck," Judy Canova picture formerly titled "Chatterbox.". . . Irene Manning, opera singer formerly known as Hope Manning, has been given a contract by Warners. . . . Universal's "Temporary Bride" has Robert Paige and Jane Frazee in the leads. Charles Lamont is directing. . . . Borrah Minevitch and his Harmonica Rascals have been set for Warners' "Always in My Heart."

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Paramount will star seven-year-old CAROLYN LEE in "Mrs. Wiggs of the Cabbage Patch," KATE DOUGLAS WIGGINS story. Last time the picture was made in 1931 with VIRGINIA WEIDLER in the girl role and PAULINE LORD and W. C. FIELDS playing the adult leads. . . . BRIAN DONLEVY has been given a contract extension by Paramount. . . . CHARLES BRABIN, director, turns to acting in "I Married an Angel," M-G-M. . . . Paramount has borrowed NORMAN TAUROG from M-G-M to direct "Mr. and Mrs. Cugat.". . . The studio also extended the contract of director LEWIS ALLEN. . . . ROBERT ROSSEN is working on the script of "Sea Devil" at Warners. . . . STUART ERWIN joins the cast of "Martin Eden" at Columbia. . . . CHARLES LEDERER, film writer, shortly will turn director. M-G-M has given him his first megaphone assignment in "Fingers at the Window," murder mystery.

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Ann Ayars, newcomer, gets the lead opposite Conrad Veidt in M-G-M's "Salute to Courage." . . . William Holden, Susan Hayward, Eddie Bracken, Jimmy Lydon and Robert Benchley head the cast of Paramount's "Out of the Frying Pan." . . . Supporting Carole Lombard and Jack Benny in Korda's "To Be or Not to Be" are Robert Stack, Felix Bressart, Lionel Atwill, Stanley Ridges, Charles Halton, Esther Dale, Tom Dugan.

• •

RUTH WARRICK and EDDIE FOY, JR., have supporting roles in RKO's "Powder Town.". . . MANTAN MORELAND goes into Monogram's "Freckles Comes Home.". . . FRANCES FARMER gets the feminine lead in HARRY SHERMAN'S "American Empire," opposite RICHARD DIX. . . . REGINALD OWEN will support GREER GARSON and WALTER PIDGEON in "Mrs. Miniver," M-G-M. . . . Paramount is planning a picture based on the life of the late HELEN MORGAN, with B. G. DE SYLVA, executive producer, taking active charge. . . . JOSEPH CALLEIA gets the role of El Sordo in "For Whom the Bell Tolls."

FCC Network Rules Await Writ Decision

A stipulation between NBC and the FCC has been filed in the Federal Court postponing the effective date of the new network monopoly regulations from Nov. 15 until after a decision on the motion for a temporary injunction made by the network. A similar stipulation with CBS is scheduled to be signed and filed today.

The court will hold a hearing on the motion Dec. 15 at which time the FCC will counter by asking for dismissal of the suit. Attorneys who will handle the suit for the FCC and the Government are Samuel Brodsky, Telford Taylor and Thomas Harris.

Brodsky said yesterday that he did not believe that Asistant U. S. Attorney General Thurman Arnold would take part in the action but stated that it was "a possibility."

Four Stations Ask Power Increases

WASHINGTON, Nov. 11.—Increases in power have been asked by four broadcasting stations in applications filed with the FCC.

Stations WAAT, Jersey City, N. J., asked an increase from 1,000 to 5,000 watts; WKRC, Cincinnati, asked change in frequency from 550 to 640 kilocycles and increases in power from 1,000 watts night, 5,000 watts day, to 50,000 watts; WDBO, Orlando, Fla., sought an increase in day power from 5,000 to 10,000 watts, and KHQ, Spokane, Wash., asked for a similar increase in day power.

FCC Delays Hearing

WASHINGTON, Nov. 11.—The FCC has ordered postponement until Nov. 27 of the hearing scheduled Nov. 13 on newspaper ownership of broadcasting stations.

Ascap Election Is Expected Shortly As Test of Strength

(*Continued from page* 1)

of the month. It is probable also that the board may defer an election until after a general Ascap membership meeting which is scheduled to be held in December.

Segments of the Ascap board and membership reportedly favor a change of officers to map a campaign to open up new revenue sources to the society to offset the lower annual income from radio under the new long-term contracts with networks. How widespread that feeling is and how much strength it could muster in an election of Ascap officers is not apparent at this time.

$57,277 Judgment Is Set Against Erpi

Federal Judge John C. Knox has ordered a judgment totaling $57,277 against Erpi and in favor of John G. Paine as agent and trustee for more than 40 music publishing houses. The judgment granted on stipulation of the parties is the result of a suit filed in 1936 in which Erpi was charged with the use of a large number of musical compositions for recording in foreign countries without the consent of the publishing houses.

Judge Knox in 1939 after ruling in favor of the plaintiff ordered a reference to determine the amount of the liability on the part of Erpi. The suit involved the question of law of whether music in which the plaintiffs held U. S. copyrights could be recorded in other countries where the compositions were in the public domain.

The suit originally sought $149,948, but was scaled down by the court.

Rorke Named Aide To Ruppel at CBS

Hal B. Rorke has been named assistant director of publicity at CBS, Louis Ruppel, publicity head, announced yesterday. Rorke, who will assume his new duties about Dec. 1, succeeds Ted Weber who resigned to become amusement advertising manager of the new Marshall Field newspaper in Chicago. Rorke is the publicity head of the CBS Pacific network and has been with the West Coast staff since 1937. Before that he was managing editor of the Los Angeles *Illustrated Daily News* and with the M-G-M publicity department.

Trade Press Men in 'Battle of the Sexes'

Representatives of the trade press tried valiantly to uphold the honor of their sex last night against four comediennes in the "Battle of the Sexes" program in the interests of Molle shaving cream, over the NBC Red from 9 to 9:30 P.M.

The trade press men were: Herman Pincus, radio advertising manager of MOTION PICTURE DAILY; Edward Flynn, *Downbeat;* Paul Ackerman, *Billboard,* and Sid Weiss, *Radio Daily.* Their opponents: Ann Thomas, Pert Kelton, Betty Garde and Minerva Pious.

'Soldier' and Show Boston Best, $23,800

BOSTON, Nov. 11.—With business generally off at most of the downtown houses, a stage show headed by Bill Robinson and Jimmy Lunceford and his orchestra plus "Swing It, Soldier" at the Keith Boston topped box-office receipts with $23,800.

Estimated receipts for the week ending Nov. 5-6:

"Swing It, Soldier" (Univ.)
KEITH BOSTON—(2,697) (30c-40c-44c-55c-65c) 7 days. Vaudeville including Bill Robinson, Jimmy Lunceford and his orchestra, James Young, the Miller Brothers and Lois and Velma Middleton. Gross: $23,800. (Average, $8,000)
"Belle Starr" (20th-Fox)
"They Meet Again" (RKO)
KEITH MEMORIAL—(2,907) (30c-40c-44c-55c) 7 days. Gross: $14,000. (Average, $16,000)
"Week-End in Havana" (20th-Fox)
"Great Guns" (20th-Fox)
METROPOLITAN—(4,367) (28c-30c-40c-55)c 7 days. Gross: $16,780. (Average, $15,500)
"Our Wife" (Col.)
"Bullets for O'Hara" (W. B.)
PARAMOUNT—(1,797) (28c-30c-40c-44c-55c) 7 days. Gross: $7,000. (Average, $7,500)
"Our Wife" (Col.)
"Bullets for O'Hara" (W. B.)
FENWAY—(1,320) (28c-30c-40c-44c-55c) 7 days. Gross: $3,800. (Average, $4,500)
"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
SCHOLLAY—(2,500) (28c-30c-40c-44c-55c) 7 days, 3rd run. Gross: $3,100. (Average, $4,000)
"You'll Never Get Rich" (Col.)
"Tillie the Toiler" (Col.)
LOEW'S STATE—(3,000) (30c-40c-44c-55c) 7 days. Gross: $14,200. (Average, $12,000)
"You'll Never Get Rich" (Col.)
"Tillie the Toiler" (Col.)
LOEW'S ORPHEUM—(2,900) (30c-40c-44c-55c) 7 days. Gross: $18,100. (Average, $17,500)

Legion Approves Six New Pictures

The National Legion of Decency has approved six new films for the current week, three for general patronage and three for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Buy Me That Town," "Ellery Queen and the Murder Ring," "Riding the Sunset Trail." Class A-2, Unobjectionable for Adults—"Appointment for Love," "Hot Spot," "Swamp Water."

Broidy Back on Coast

HOLLYWOOD, Nov. 11.—Samuel S. Broidy, general sales manager for Monogram, returned here today, after a trip to key cities, during which he reported 175 theatres have been added to the company's list of accounts.

Normanly Leaving 'U'

HOLLYWOOD, Nov. 11.—James Normanly, for the last five years general business manager of the Universal studio, will leave his post next Sunday. He plans a vacation until Jan. 1. He formerly was with the Bank of America.

Lift Laurel-Hardy Option

HOLLYWOOD, Nov. 11. — Twentieth Century-Fox has exercised an option on Stan Laurel and Oliver Hardy, following the film, "Great Guns." The contract calls for 10 pictures in the next five years, the next to be "Pitfalls of the Big City."

Broadway Enjoys Smash Armistice Day Business

(*Continued from page* 1)

ness, ranging in verbal report all the way from "very big" and "tremendous" to "complete sellout — SRO" and "one of our biggest matinees."

At the Broadway film houses, business was unusually strong all the way. Some of the houses reported long lines of standees from the morning hours extending well into the afternoon. The Music Hall, for example, reported an SRO matinee, with 500 standing in line at 1 P. M. The Broadway reported a capacity-plus matinee, with a line of standees outside of the house which was not dissipated until 4 P.M. The Roxy, Rialto, Astor, Paramount, Strand and Rivoli all reported substantial business throughout the day, with several having standees.

Chicago Loop Houses Report Capacity Crowds

CHICAGO, Nov. 11.—With thousands of people thronging the Loop, since most business houses shut down for all or part of the day, and with the schools closed for Armistice Day, all houses in the Loop reported capacity business.

The Chicago and State-Lake Theatres reported holdouts at noon, and other theatres filled rapidly. Balaban & Katz charged holiday prices in the Loop houses, the first time that has been done on Armistice Day. Prices were 55 cents to 1 P.M., 65 cents and 75 cents thereafter.

Holiday Business Is Strong in Los Angeles

LOS ANGELES, Nov. 11. — With cloudy skies and high temperatures, Armistice Day theatre business was off to a strong start here today. The usual influx of holiday visitors to the city was augmented by 10,000 soldiers from Ford Ord and Camp San Luis Obispo, plus service men on leave from San Diego and other camps. Business held generally strong at the local theatres, with "Birth of the Blues" at the Paramount and "Citizen Kane" at the Hawaii on Hollywood Boulevard appearing to be the strongest attractions.

Armistice Day Brings Good Grosses in N. O.

NEW ORLEANS, Nov. 11.—Theatres and amusements generally reported unusually good business here today, as the Armistice Day observance caused many business houses to close, some all day and others a half day. Exceptionally clear weather also helped at the box-office. Evening business at downtown houses, however, was affected by an elaborate night parade, which lasted several hours.

Boston Reports Big Box-Office

BOSTON, Nov. 11.—Film and legitimate houses reported record grosses for the Armistice Day holiday, with downtown theatres announcing standing room at a premium and motion picture houses turning customers away. A big parade drew an estimated 150,000 visitors to the city.

Toronto Business Reported as Good

TORONTO, Nov. 11.—Matinees today found suburban theatres packed and downtown theatres well filled, and evening attendance was heavy everywhere. Theatres charged the usual scales. Raw weather and sleet discouraged outdoor activities except two parades. Retail stores were closed in the morning for observance of the official program, and morning theatre patronage was off. Banks and schools observed the full holiday.

Montreal Builds To Normal Gross

MONTREAL, Nov. 11.—After a slow day in which Armistice exercises kept this city's population occupied, evening theatre business picked up and in most instances was normal, managers reported. A parade in the morning killed opening business entirely, with the city turning out en masse to witness wreath laying ceremonies. Projectionists suspended showings during the two-minute silence at 11 o'clock, as is the custom. Many business houses observed a whole or half holiday. Exhibitors reported afternoon business picked up and built steadily in the evening.

Rochester Stage Show

ROCHESTER, Nov. 11. — Ted Lewis and his band will play a four-day stage run at the RKO Temple here beginning Dec. 2, according to Manager Lou Mayer.

'Business' at Big $20,000, Los Angeles

LOS ANGELES, Nov. 11. — "Unfinished Business" and "Moonlight in Hawaii" scored $10,000 at the Hillstreet and the same at the Pantages, for a total of $20,000. Other grosses were down.

Estimated receipts for the week ending Nov. 5:

"Smilin' Through" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $9,500. (Average, $12,000)
"Sundown" (U.A.)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $5,000. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(110) (33c-44c-55c-75c) 7 days, 3rd week. Gross: $8,000.
"Unfinished Business" (Univ.)
"Moonlight in Hawaii" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $10,000. (Average, $6,500)
"Smilin' Through" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $13,500. (Average, $14,000)
"Unfinished Business" (Univ.)
"Moonlight in Hawaii" (Univ.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $10,0000. (Average, $7,000)
"Nothing But the Truth" (Para.)
"Henry Aldrich for President" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. "Truth" 3rd week. Stage: "Glamour Girls of 1942." Gross: $16,000. (Average, $18,000)
"International Squadron" (W.B.)
"The Smiling Ghost" (W.B.)
WARNER BROS. (Hollywood) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $12,600. (Average, $14,000)
"International Squadron" (W.B).
"The Smiling Ghost" (W.B.)
WARNER BROS. (Downtown) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $13,300. (Average, $12,000)



Carry that ball!



Successful football teams mix 'em up . . . dazzle 'em with variety . . . play them off their feet.

A line buck . . . a lateral pass . . . a play around the ends. Kicks, forward passes, off-tackle plays . . .

In show-business, too, you've got to mix 'em up . . . Keep pounding away with **Trailers, Posters, Heralds, Lobby Displays, 24-Sheets** . . . everything in the advertising bag and you're bound to come out on top.

A good team plays for the final score . . . a good showman plays for the year's receipts.

Let advertising pave the way for you just as the interference clears the field in football.

Carry that ball with those three great ball carriers . . . **Standard Accessories** . . . **Special Accessories** . . . **Trailers** . . .

NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

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Alert, Intelligent and

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

M. P. PRODUCERS &
DISTRIBUTORS OF AM., INC
28 WEST 44TH ST.,
NEW YORK,
N. Y. (3 COPIE

VOL. 50. NO. 96 NEW YORK, U. S. A., THURSDAY, NOVEMBER 13, 1941 TEN CENTS

Majors Named In Nebraska Anti-Trust Suit

Climaxes Trust Actions Involving Theatres

A cross-fire of anti-trust actions involving almost every Omaha theatre was climaxed this week with the filing in state court at Lincoln of an anti-trust suit against the R. D. Goldberg Theatres and the major distributors by the State Attorney General.

Indications were that the distributors had been caught in the middle of an Omaha exhibitors' controversy, involving the A. H. Blank and Sam Epstein Omaha theatres as well as the Goldberg circuit, leaving the distributors as defendants in two resulting anti-trust suits.

Details of the action charging the Goldberg Omaha theatres and the distributors with violations of the Nebraska anti-trust laws had not been

(Continued on page 10)

Open Film Tribunals For Other Disputes

BUFFALO, Nov. 12.—The 31 industry arbitration boards in the key cities throughout the country will be opened to all forms of industrial complaints and will no longer be exclusively motion picture tribunals, under an agreement reached with the film industry recently, J. Noble Braden, executive secretary of the American Arbitration Association, disclosed in an address before the Erie County Bar Association here today.

Braden indicated that the reason for the opening of the boards to all types of industrial disputes was the comparatively few arbitration complaints filed under the film industry consent decree since the boards were launched

(Continued on page 10)

Mrs. Sydne Silverman Dies at 37, Long Ill

HARRISON, N. Y., Nov. 12.—Mrs. Sydne Silverman, wife of the publisher of *Variety*, died here today at their home on Pleasant Ridge Road, after a long illness. She was the former Marie Saxon, featured dancer in Broadway musical shows. She was 37. Besides her husband and a son, Sydne, Jr., aged 10, she is survived by her mother, Mrs. Pauline Saxon, and a brother, Robert Landry.

Interest of Exhibitors in Shorts Seen Increasing

By SAM SHAIN

Distributor representatives report a mounting exhibitor interest in short subjects due to the fact that improved production and more careful selection of production subjects has sharpened the public's taste and interest in these subjects.

This greater interest trend is believed proved by the holding of today's special Ampa session which will be devoted to the short subject field. Also, MOTION PICTURE DAILY in this issue presents a section devoted to short subjects and in which principal distributors of these films are represented.

Already, these distributor representatives report that about 130 of the 585 promised subjects for the year are in release. Shorts with timeliness of theme and exploitable elements are the most desired, they say.

The Ampa luncheon meeting at the Hotel Edison today, devoted to short subjects, will hear an address by Mrs. Besa Short of Interstate Circuit. Robert Benchley will be master of ceremonies, and guests will include John Kieran, Grantland Rice, Sterling Holloway, Abbott and Costello and others.

Norman Moray, Warner Bros. chieftain, reports that in instances theatres have begun to drop the second feature in favor of a single feature program with shorts. He also reports that his company's business in short subjects has risen by about 25 per cent.

Bernard Kreisler, who heads the short subject field at Universal, re-

(Continued on page 5)

RKO, 20th-Fox Ask Exemption On Minn. Sales

RKO and 20th Century-Fox made applications yesterday to Federal Judge Henry W. Goddard for exemptions from the consent decree's sales provisions to permit them to resume selling in Minnesota under the state's anti-block-of-five law.

Hearings on the applications are slated for tomorrow, concurrently with the Warner petition for Minnesota exemption.

Loew's officials said yesterday that the company will reconsider its previous decision to refrain from selling in Minnesota under the state law but added that they were "not at all sure" that any change of policy would result from such a reconsideration. They said that the fact that all of the other consenting companies had decided to reenter the Minnesota field "forced" them to reconsider their procedure but this did not necessarily mean that they would take the same action.

A motion by 20th Century-Fox also was filed with Judge Goddard yesterday requesting a ruling on the application of Section 15 of the decree to certain franchises for the company's product. Section 15 exempts franchises entered into prior to June 6, 1940, from the decree's provisions. Hearing on that motion has been set for tomorrow.

'Quit Picking on Films,' Says Detroit 'Free Press'

DETROIT, Nov. 12.—"The movies are more respectable than a good many newspapers and magazines, and far more decent than most of our best-selling books. And as for culture and art they rank in intelligence above most of the popular Broadway shows."

These words are from Malcolm W. Bingay's column titled "Good Morning," in today's *Detroit Free Press*. Bingay is a noted magazine writer and editorialist. His column is syndicated and read by millions.

"Certainly there is something wrong with the movies," Bingay writes, in part. "It would be a remarkable thing if there were nothing wrong with the movies. There is something wrong with everything else in the world. . . .

"Right now there is a rash of newspaper and magazine comment about the decline of the movies. Gilbert Seldes comes right out and says he is really scared about their future. Going to demnition bow-wows—and as usual, blames the producers, what a

(Continued on page 10)

Sentence Bioff To Ten Years, Browne Gets 8

$20,000 Fines for Each; Will Appeal at Once

Federal Judge John C. Knox yesterday sentenced William Bioff, former IATSE representative, to 10 years in jail and $20,000 in fines, and George E. Browne, former IATSE president, to eight years and $20,000 fine. In addition, the court ruled that both will be placed on probation for five years after completion of their jail terms.

Both men were immediately returned to the Federal House of Detention after Judge Knox refused bail and a stay of sentence. Notices of appeal were filed and application will be

(Continued on page 8)

M.P.T.O.A. Doubts 100% Unity Assent

Doubt as to whether distributors are prepared to cooperate in formulating a trade practice program as part of an all-industry unity movement is hinted in an MPTOA bulletin sent to members yesterday over the signature of E. L. Kuykendall, president.

The bulletin makes a distinction between the "defensive" and trade prac-

(Continued on page 8)

U. S. Probing Local IATSE Situations

U. S. Attorney Mathias F. Correa, in addressing the court yesterday on sentences to be imposed on William Bioff and George E. Browne, revealed that an investigation is under way of local IATSE situations. He declined to name the cities but is understood to be concentrating on New York, Chicago, Los Angeles and Joliet, Ill., all named by Bioff.

Correa also disclosed that he is seeking certain associates of Bioff and Browne and said that both men had been under questioning in the Federal House of Detention since their conviction last Thursday. Both have refused to reveal the identity of these associates, Correa said.

Coast Flashes

Hollywood, Nov. 12

REPUBLIC expects "Down Mexico Way," Gene Autry special, to exceed the Autry accounts record of 11,143 set by "South of the Border." The studio announced today that the new picture, in its first five weeks of release, played 1,000 houses and thus far has been set for 5,000 additional bookings in the next four months.

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Federal Judge Leon Yankwich today took under advisement the plea of Leo Morrison, agent, that the Screen Actors Guild be restrained from subjecting him to discipline under the Guild's agency franchise agreement. The court indicated that it would consult authorities on such matters. The application is an upshot of Morrison's suit against Charles K. Feldman, another agent, and Marlene Dietrich for allegedly influencing John Wayne to leave his client list for Feldman.

•

Charles Starrett, Columbia cowboy star, suffered severe facial injuries today when thrown from a horse when making scenes for "Lawless Plainsmen" on location.

Bergman Agent for Pierre van Paassen

Maurice Bergman has been named sole representative on films for Pierre van Paassen, journalist, author and lecturer, who is now engaged in preparing a screen story on the life of Clemenceau, World War premier of France, with whom he was well acquainted. There is also under consideration a series of shorts based on chapters of "That Day Alone," his latest book. He is the author of "Days of Our Years" among other books.

Bergman is a former advertising and publicity director of Columbia Pictures, and more recently was advertising and publicity manager of 20th Century-Fox Film Corp.

Promotion Heads of UA Flying to Coast

Monroe W. Greenthal, United Artists advertising and publicity director; David E. Weshner, exploitation director; Albert Margolies, publicity director, and Morris Helprin, head of advertising and publicity for Alexander Korda, plan to leave for the Coast by plane on Sunday to see new product and confer with producers on campaigns.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Mail Orders Promptly Filled

"A GREAT SHOW"—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Monday. Mats. Sat., Sun. & Nov. 20
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

HERMAN WOBBER has returned from a tour of 20th Century-Fox exchanges in the Middle West.

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LEONARD GOLDENSON left for Atlanta yesterday.

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JOHN D. HERTZ, JR., has left for California.

•

BEN KALMENSON is on a trip through the South, from which he is expected to return late next week.

•

JESSE L. LASKY is en route to the Coast from New York.

•

WILLIAM S. HART arrives here today from the Coast.

•

JACK GOLDSMITH, Warners Southern field publicity representative, has returned to Atlanta after a New York visit.

•

IRVING SALZBURG will be inducted into the Army today.

MELVIN EVIDON, Columbia manager in Des Moines, and MRS. EVIDON are the parents of a girl born last Monday.

•

HASKELL MASTERS, United Artists Western sales manager, is in St. Louis.

•

F. J. A. MCCARTHY, Universal Southern and Canadian sales manager, is expected to arrive from Toronto today or tomorrow accompanied by CLAIR HAGUE, head of Empire-Universal Films.

•

WALTER WANGER is scheduled to leave for the Coast by plane tomorrow.

•

WILLIAM A. SCULLY is due from the Midwest today or tomorrow. He was in Des Moines early this week.

•

EVAN JACOBS, 20th Century-Fox head bookkeeper in Des Moines, and MRS. JACOBS are the parents of a girl.

Eastman Votes Stock And Wage Dividends

ROCHESTER, Nov. 12.—An extra stock dividend of $1 a share and a record-breaking wage dividend for 1942 of $4,200,000 based upon common stock dividends, was announced today by Eastman Kodak Co.

The extra stock dividend is in addition to a quarter dividend of $1.50.

The wage dividend is $645,000 higher than the previous largest amount distributed to employes, $3,555,000 in 1937, and is $1,575,000 more than last year's wage dividend of $2,625,000. It will be distributed in March.

The $1 extra dividend on the common stock brought declarations for the year to $7, an increase of $1 over last year.

The wage dividend voted today is the 30th since the plan was inaugurated in 1912 and will bring the total Kodak wage dividend payments since that time to a sum in excess of $51,000,000.

'Appointment' Gave Music Hall $93,000

"Appointment for Love," Universal's Boyer-Sullavan picture, moves from Radio City Music Hall today, owing to that theatre's booking schedule. Warner Bros.' "One Foot in Heaven," starring Fredric March and Martha Scott, opens today, to be followed next Thursday by RKO's "Suspicion," starring Cary Grant and Joan Fontaine.

"Appointment for Love" grossed an estimated $93,000 on the week ending last night.

Canadian Veteran Dies

TORONTO, Nov. 12.—Isidore Axler, pioneer owner of the Victory Theatre here, and former president of McCaul Street Synagogue, died suddenly in his office at the theatre from heart failure. The theatre, formerly known as the Strand, had only recently been reopened after being remodelled. The Victory was closed one day for the funeral. Myer Axler, maintenance manager of 20th Century Theatres, is a son.

Edmund Grainger to Leave W.B., Report

Edmund Grainger will end his association with Warner Bros. on Saturday, according to reports. The producer, who is the son of James R. Grainger, president of Republic, and nephew of E. C. Grainger, president of the Feiber & Shea Theatres, has been with Warner Bros. for two years. In that time he made 12 pictures for W.B. release. He has just completed "Wild Bill Hickok," and another of his films, "International Squadron," will open today at the Strand on Broadway. Following his departure from W.B., the producer plans a vacation in New York before engaging in new work.

Senators Postpone Film Probe Meeting

WASHINGTON, Nov. 12.—Members of the Senate propaganda probe subcommittee today did not expect to be able to get together until next week to map the future of their investigation of motion pictures.

Senator D. Worth Clark of Idaho, chairman of the sub-committee, said he was "snowed under" by correspondence on the intervention issue and would have to work his way out before taking any steps to further the probe. Other isolationist members of the group also are understood to be engaged in replying to the letters which their fight against revision of the Neutrality Act brought in.

Mrs. J. J. Murray Rites

SCRANTON, PA., Nov. 12.—The funeral of Mrs. John J. Murray was held here with burial in the Cathedral Cemetery here. The deceased, wife of the veteran Comerford manager of the Manhattan Theatre here, died in Scranton State Hospital after a week's illness.

Music Hall Reception

A reception in honor of Dr. Daniel A. Poling and Dr. Norman Vincent Peale, who advised on Warners' "One Foot in Heaven," and Casey Robinson, who prepared the screenplay, will be held at the Music Hall today. Well known sons of ministers will attend.

French Comedy to Open Here Tonight

"Little Dark Horse," Theresa Helburn's adaptation of a French comedy by Andre Birabeau, will be presented tonight at the Golden with Cecilia Loftus, Walter Slezak and Lily Cahill in featured roles. Donald Blackwell and Raymond Curtis are the producers.

SPG Vote Rejects Affiliation With CIO

A referendum vote in the Screen Publicists Guild has rejected affiliation with the CIO, it was announced yesterday. The affiliation, which was backed by many SPG officials, was disapproved because "many members believed such a move not necessary to the securing of a speedy and acceptable contract," an executive board statement said.

The board refused to disclose the tabulation of the ballots. A large number of votes were challenged but they cannot affect anything except the closeness of the result, it was said. The statement also said that cooperation with the Screen Office & Professional Employes Guild, Local 109, CIO, would continue and that the "membership is prepared to take whatever steps are necessary to secure its contract."

John J. Stanley, secretary-treasurer of the United Office & Professional Workers of America, parent union of Local 109, said the refusal to affiliate was "deeply regretted." "The results of their referendum will delay but not prevent the establishment of maximum unity among all white collar workers in the motion picture industry," he said.

P. R. C. Conducting Regional Sessions

Arthur Greenblatt, general sales manager of Producers Releasing Corp., will conduct a regional sales meeting in Dallas this week, followed by another at Oklahoma City next Monday. From there he will visit Kansas City, Omaha, Denver and Hollywood, before returning to the home office. Sales conferences will be held in all of the cities.

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TODAY THE GREAT CURTAINS OF RADIO CITY WILL OPEN ON WARNERS' NEWEST SUCCESS..



FREDRIC MARCH • MARTHA SCOTT
in
'ONE FOOT IN HEAVEN'
with BEULAH BONDI • GENE LOCKHART
ELISABETH FRASER • HARRY DAVENPORT
LAURA HOPE CREWS • GRANT MITCHELL
Screen Play by Casey Robinson
Music by Max Steiner
Directed by IRVING RAPPER

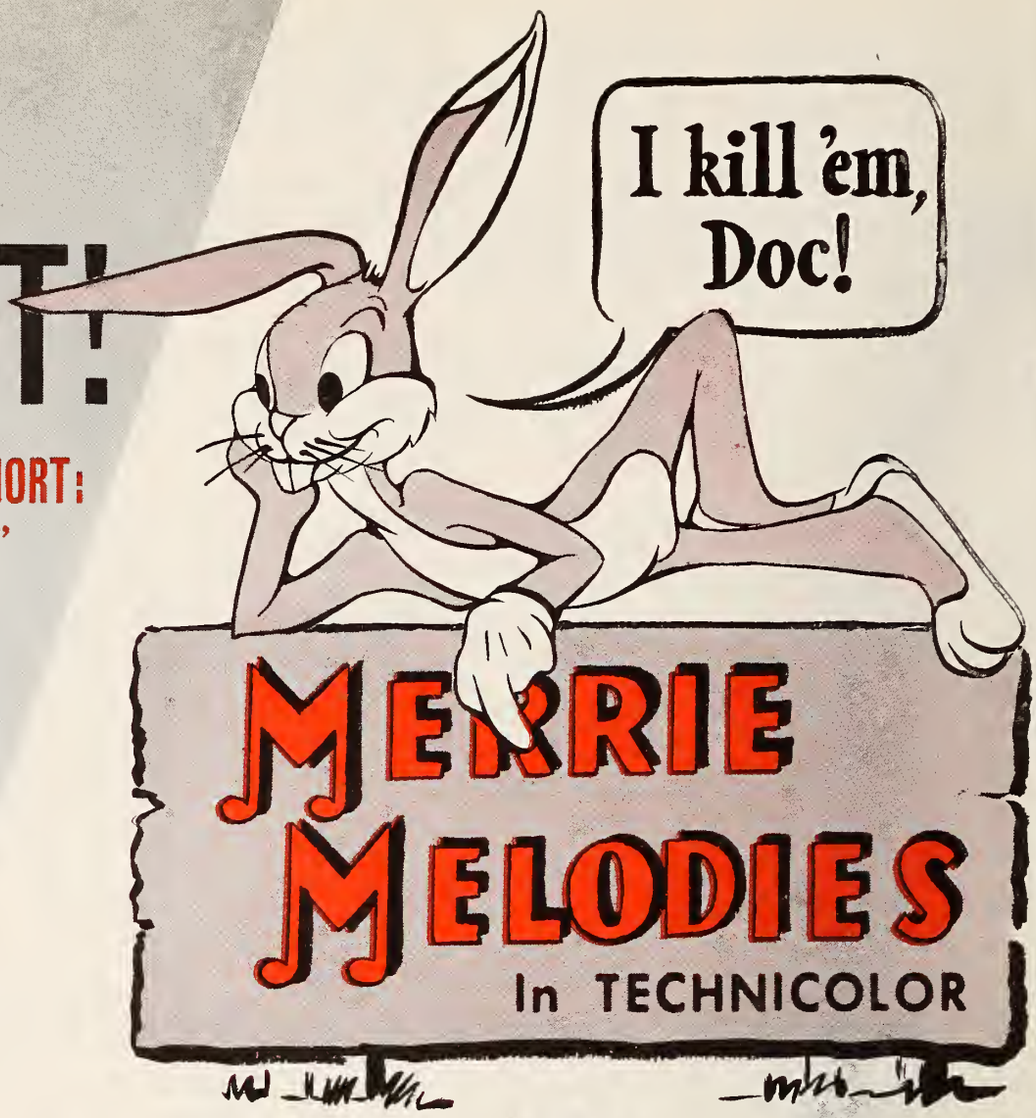
IN THE SPOTLIGHT!

.AUGHS INTERSTATE'S BESA SHORT:
"Bugs Bunny, you kill me!"

CHORTLES THE N. Y. TIMES:
"Bugs Bunny... delightful nonsense... laugh provoking tricks... so comical... look sharp for him!"...

ASSOITS BUGS BUNNY:
"You said it, Doc!"







Looney Tunes

Produced by
LEON SCHLESINGER

IN SHORT, AND IN SHORTS, *It's Warners!*

Timely, Exploitable Shorts Lead Demand

Short Subject Department Heads . . .



Norman Moray
WARNERS



Fred Quimby
M-G-M



Bernard Kreisler
UNIVERSAL



Harry Michalson
RKO



M. J. Weisfeldt
COLUMBIA

Short Subject Reviews

"Georgetown, Pride of Penang"
(Fitzpatrick Traveltalk)
(M-G-M)

The camera tours the harbor and streets of Georgetown, capital of Penang, Malayan island, with interesting and picturesque results. Excellent color contributes materially to the reel and the commentary is in a pleasant, informative vein. The subject is equal to the high standard maintained by the series. Running time, 9 mins. Release, Nov. 15, 1941.

"Mitt Me Tonight"
(All-Star Comedies)
(Columbia)

Some musical numbers, comedy and fisticuffs make up this two-reeler set against a collegiate and nautical background. A free cruise is offered to students who attain honor grades but one of them is tricked by having a rival steal the examination paper and substitute incorrect answers. Nevertheless, he manages to get on board as a stowaway to engage his rival in a fight. Included in the cast are David Durand, Sidney Miller, Doodles Weaver, Lorraine Miller and George Offerman. Running time, 16 mins. Release, Nov. 11, 1941.

"Come Back Miss Pipps"
(Our Gang Comedy)
(M-G-M)

An amusing subject which depicts the means by which the school children depose a despotic school board chairman and reinstate the teacher who was ousted for giving birthday parties in the classroom. Excellent for children's matinees and satisfactory on any program. Running time, 11 mins. Release, Oct. 25, 1941.

"Alaska Tour"
(Columbia Tour)
(Columbia)

Andre de La Varre conducts a tour of some interesting points in Alaska. The salmon packing industry at Ketchikan; Juneau, the capital; the Lynn Canal; Skagway and the Yukon are among the places visited. The shots of the glaciers and the Alaskan mountains are excellent. Running time, 10 mins. Release, Nov. 7.

"Women in Photography"
(Cinescope)
(Columbia)

The technique of four outstanding women photographers is described here. Margaret Bourke-White, Bernice Abbott, Ruth Nichols and Toni Frissell are shown at work in their studios. The meticulous precision of their work should interest audiences and the reel is made more attractive by showing not only the posing of the models but also the finished product. Running time, 10 mins. Release, Nov. 7.

"Screen Snapshots, No. 3"
(Columbia)

Hollywood stars at play and a barbecue for exhibitors make this an entertaining reel. John Hubbard acts as guide to a young girl from Georgia. Among those seen are Leo Carrillo, Jean Parker, Rochelle Hudson, Johnny Mack Brown, Maxine Jones, Gracie Fields, Jackie Cooper, the "Three Stooges," Edgar Bergen with Charlie McCarthy and a number of others. Running time, 10 mins. Release, Nov. 11.

"Jungle Fishing"
(Sport Reel)
(Columbia)

Big game fishing, the oft-photographed sport, is again material for a reel which should be enjoyed by fishing fans. This subject was photographed by Jack Etra in jungles off the coast of Cuba and Bill Stern has provided the commentary. Sting rays and tarpoon are caught, with two anglers testing the relative effectiveness of their respective lures. Running time, 11 mins. Release, Oct. 10.

"The Crystal Gazer"
(Phantasy Cartoon)
(Columbia)

A black-and-white cartoon, this reel has little to offer. A mystic offers to predict the future and invites the audience to submit questions. One lady offers a query, there is an involved flashback to Egypt and its mummies, but the mystic finally tells the lady not to mix whipped cream with potato salad. Running time, 10 min. Release, Oct. 10.

Interest of Exhibitors in Shorts Seen Increasing

(Continued from page 1)

ports an increase in business of about 22 per cent.

Edward Aaron, assistant to William F. Rodgers, general sales manager of M-G-M, also observes that showmen are becoming "shorts conscious."

Harry Michalson, RKO short subjects head, declares that his company's business is the "best in years" and that exhibitor interest in RKO shorts is "definitely on the increase."

Max Weisfeldt, Columbia short subjects chief, also avers that there is a "decided increase" in national sales on short subjects for his company.

Warners' Ballet Shorts

New this season on the Warner program, it is stated, will be two shorts featuring the Ballet Russe which will be released as part of the "Technicolor Special" series of six two-reelers in color. Of this series one, "The Tanks Are Coming," already is in release. Those forthcoming include "Soldiers in White," which concerns the army medical corps, and another military subject dealing with Winter warfare. The sixth probably will have a military theme also.

Of the company's "Broadway Brevities" series of 12 two-reelers, three are in release. These are "Minstrel Days," "Perils of the Jungle" and "At the Stroke of 12." In the "Sports Parade" classification are 10 one-reel shorts, of which "Kings of the Turf" and "Water Sports" are now available.

M-G-M's 78

M-G-M has on schedule 78 shorts, it is said with seven more than last year. Included are six "Two Reel Specials" of which "Tell Tale Heart" is now ready; 12 Fitzpatrick "Traveltalks," of which three are available, "Glimpses of Florida," "Inside Passage" and "Georgetown, Pride of Penang." Also, 10 "Miniatures," the first of which, "Changed Identity," has been released; 16 cartoons in color; 14 Pete Smith "Specialities," two of which are in release, "Army Champions" and "Fancy Answers"; 10 "Our Gang" comedies, of which "Helping Hands" and "Come Back, Miss Pipps" are available; and 10 "Passing Parade" subjects, one of which, "Strange Testament," is completed.

Universal has 56 on the regular schedule with one special, a two-reeler, "Cavalcade of Aviation," available for Christmas, according to inquiry. The short will have its "premiere" in Dayton. Thirteen "Color Cartoons" are scheduled with three already released. Also on the books are 15 "Stranger Than Fiction," 15 "Variety Views," and 13 two-reel musicals.

The RKO program numbers 86, including 13 issues of "March of Time," three of which have been distributed, it is indicated. Walt Disney is scheduled to provide 18 cartoons. The schedule also calls for 13 "Information Please" reels, two of which are in release; 13 "Sportscopes," two of which have been released; 13 "Picture People" shorts, two of which are in release; and 16 two-reel comedies, of which seven are in release.

Columbia Has 140

Columbia, it is asserted, has 140 shorts on its schedule. Of these, 30 are two-reel comedies and six are "International Forum" subjects. The comedies are divided into three separate classifications. These are "Glove Slingers," one of which, "Mitt Me Tonight," is in release; eight "Three Stooges," of which three have been issued, "Ache in Every Stake," "Some More of Samoa" and "In the Sweet Pie and Pie"; and 18 "All Stars," of which these are in release: "Love in Gloom," "Half Shot at Sunrise," "General Nuisance," "Blitz Kiss," "Lovable Trouble" and "She's Oil Mine."

Columbia's single reels include 32 cartoons, eight "Cinescopes," 12 "Panoramics," six historical cartoons with Raymond Gram Swing, 12 "Word of Sports," 10 "Community Sings," eight "Tours," 10 "Screen Snapshots," and six "Quiz Reels."

Club Helps Children

PHILADELPHIA, Nov. 12.—The local Variety Club and Sam S. Stiefel, operator of Fay's, played host to the city's infantile paralysis child victims from hospitals, schools and homes at a special show at the theatre. The club provided the buses to transport the children.

Party for Carol Bruce

Bud Abbott and Lou Costello will be hosts at a birthday party for Carol Bruce at the Hotel Astor tomorrow.



MR. OSTRICH, WAKE UP TO THE PROFIT IN M-G-M SHORTS!



They make more money with Shorts than any exhibitors in America. Take their advice.

← **Listen to the Experts** *(Bob O'Donnell and Besa Short of Interstate Theatres, Texas):*

"In our annual survey of Shorts Most Valuable at the Box-Office, we list M-G-M FIRST with 5 distinguished Shorts and for an ace-in-the-hole, the dependable, never-failing Pete Smith."

(And now see next page →)



Academy Award-winning actor Joseph Schildkraut plots the murder of his aged employer in this scene from the emotion-packed Edgar Allan Poe Classic "The Tell-Tale Heart."

"THE TELL-TALE HEART" A NEW M-G-M TRIUMPH!

"It is one of those rare shorts which will live . . . like a swell and luscious bon-bon coming suddenly out of a candy slot machine . . . exhibitors and their audiences who appreciate solid shorts of enduring worth will give this three rousing cheers." **—FILM DAILY**

"Surely 'The Tell-Tale Heart' will merit a Special Academy Award for elevating the quality of the short subject beyond that of most features, for setting a new standard in short subject production, direction and acting . . . indeed a miniature masterpiece . . . if proof is needed that the short subject is becoming a powerful and persuasive force in screen entertainment, 'The Tell-Tale Heart' can readily supply it; a few more subjects of this calibre and so-called 'second features' will be doomed." **—SHOWMEN'S TRADE REVIEW**

"A different kind of short . . . the novelty of the film and the names of the author and leading actors are merchandising assets." **—M. P. DAILY**

" 'The Tell-Tale Heart' is superb . . . another unusual short from M-G-M." **—VARIETY**

"Consider this subject when a dubious double bill looms . . . the audience that is not satisfied will be quite the rarity." **—BOXOFFICE**

"This is aces for class houses . . . all in all the type of short which should be encouraged . . . excellent." **—THE EXHIBITOR**

QUALITY PRODUCT!

It is an acknowledged fact that M-G-M spends more production money on Shorts than any other company. We pledge anew our willingness to create quality entertainments for your box-office. Play them all: CRIME DOESN'T PAY; PETE SMITH; JOHN NESBITT's brilliant PASSING PARADE human-interest subjects; M-G-M MINIATURES (including CAREY WILSON's "Nostradamus" and others); M-G-M CARTOONS IN TECHNICOLOR (watch for our Christmas gem, "The Night Before Christmas"); OUR GANG COMEDIES; FITZPATRICK TRAVELTALKS IN TECHNICOLOR. Take the advice of Bob O'Donnell and Besa Short. M-G-M Shorts are FIRST!

Sentence Bioff To Ten Years, Browne Gets 8

(*Continued from page* 1)

made at 4 P.M. today to the U. S. Circuit Court of Appeals for a stay of sentencing pending determination of the appeals.

The sentence for Bioff, as pronounced by the court, was 10 years and $10,000 fine on the first count; 10 years on the second to run concurrently with the first; and 10 years and $10,000 fine on the third, to start after the first two are completed but to be suspended, if the fines are paid, and the defendants are to be placed, instead, on probation for the maximum period of five years.

Charge 18 Errors

The appeals filed listed 18 alleged errors, including one that the sentences imposed were excessive and beyond the maximum permitted by law. Principal basis of the appeals, however, is expected to be that the anti-racketeering statute under which both men were convicted is unconstitutional and that the crimes were not prosecuted within the time permitted by the statute of limitations.

Meanwhile, from Los Angeles came word that U. S. Attorney William F. Palmer said yesterday that he would present to the Federal Grand Jury there, at the earliest possible moment, evidence adduced at the New York trial and ask for a new indictment on income tax evasion against Bioff. Bioff is presently under indictment for tax evasion on approximately $85,000 but Palmer said the new indictment would include the amounts revealed at the trial here.

Would Press Tax Trial

Palmer said he would insist that Bioff go on trial in Los Angeles on the income tax charges before his commitment on the New York sentence.

In New York court circles it was considered possible that the U. S. Attorney in Chicago might also file income tax charges against Browne.

Both men are entitled to three days off per month for good behavior during the early years of the sentence and five days during the later years. They also will be eligible for parole at the completion of one-third their sentences. In Bioff's case this would be at the end of three years and four months and, in the case of Browne, at the expiration of two years and eight months. However, parole is rarely granted at the end of the minimum period and considerable doubt was expressed in courtroom circles that Bioff would be granted any at all. Browne, on the other hand, was described by Mathias F. Correa, U. S. Attorney, in his discussion of the sentences to Judge Knox, as a man who might be rehabilitated. In any event, if parole is granted, they will be required to report on parole until the end of the maximum term and then will face the probationary period.

Judge Knox, in pronouncing sentence, declared that he would have given both men equal sentences but was influenced by Correa's remarks that Browne's sentence should be less. Judge Knox, however, did not accept Correa's recommendation that separate sentences be imposed on each count, pointing out that the acts constituted only one crime. Correa asked for 15 years for Bioff and 10 years for Browne with an additional five years on probation for the latter, plus $30,000 each in fines.

There was considerable speculation yesterday whether the defendants would be sent to Alcatraz or the East Lewisburg, Pa., penitentiary. In view of the fact that both men were convicted of racketeering there is a possibility that they may be sent to Alcatraz. Their plea for a stay of sentence to the Circuit Court today is expected to hinge on the weight given to their points on appeal. If that court regards the statute of limitations defense as important, it may grant the stay. More favorable for the defense, however, is the fact that the U. S. Supreme Court has recently agreed to consider the constitutionality of the anti-racketeering statute. There have been only about six such prosecutions since the law was enacted and several phases of the law are under question.

The men will remain at the Federal House of Detention until their appeals are decided, if the stays are not granted, Martin Conboy, attorney for Browne, said yesterday. They will not receive credit on their sentences while there but apparently decided they would prefer to remain pending appeal.

Judge Knox denounced the acts of the defendants as "heinous" and said "they have signally betrayed the trusts that were committed to their care." He called them "recreant to their trust, dishonest in heart, mind and action."

Plea for Leniency

Henry A. Uterhart, attorney for Bioff, termed the latter "a victim of circumstances and environment rather than of his own evil nature." Conboy asked for leniency because of the families and said the men were made "scapegoats" by newspaper commentators opposed to the Wagner Act.

Correa said that Browne's "was the greater crime, although Bioff is the greater criminal." Correa justified his calling Bioff a "Chicago hoodlum" and linked Bioff to the gangster killings of Jack Zucco and Tom Maloy, whom Correa described as Chicago racketeers. He also pointed to the fact that in 1925, Bioff had said he was employed in the St. Joseph Valley Brickyard, and that his business was "a front" for the Al Capone gang. He said the chances of Bioff being rehabilitated are "practically negligible." As for Browne, he said little was known of his background except that he was formerly a respected labor leader but that he "sold out," probably in 1925. In that year, Browne was taken to a Chicago hospital with a bullet wound but refused to name his assailants, Correa said. Correa also pointed to the two per cent assessment fund which he estimated as over $1,000,000 but added that Browne "is a weaker character and undoubtedly under the influence of Bioff and Bioff's associates whom neither of the men have been disposed to name.

HOLLYWOOD, Nov. 12. — On record for asking for the resignation of the entire IATSE executive board, Film Laboratory Technicians Local 683 today reported that it had no reply yet from its resolution forwarded to the executive board.

Rockefeller Tells Meeting About S.A.

Behind closed doors of the exclusive Links Club, motion picture executives last night heard Nelson A. Rockefeller on what his Committee on Inter-American Relations is accomplishing, particularly the motion picture division under John Hay Whitney. Rockefeller recently visited the Coast, one of the few "official" visits he has made since Rockefeller Center, which he heads, acquired an interest in RKO. On the recent visit, however, he went as a U. S. defense official.

Review

"H. M. Pulham, Esq."

(M-G-M)

Hollywood, Nov. 12

MAKING the best selling novel, "H. M. Pulham, Esq.," and giving it an outstanding cast and a velvety production mounting, M-G-M has turned out a love story of universal appeal, a picture to rank as an outstanding grosser in all situations. It is moving, gripping in its telling of the affairs of the heart; it is light, frothy in its numerous comedy moments.

The title role is played by Robert Young, who gives his most outstanding performance; Hedy LaMarr plays the role of Marvin Myles, the sweetheart he doesn't marry, and Ruth Hussey that of the woman Pulham weds. The trio, who do exceptionally well in their characterizations, are assisted by an able cast including Charles Coburn, Van Heflin, Fay Holden, Bonita Granville, Douglas Wood, Charles Halton, Leif Erickson, Phil Brown, David Clyde and Sara Haden.

Director King Vidor, who with Elizabeth Hill wrote the screenplay, has extracted from each scene the ultimate in audience possibilities, placing his characters in such juxtaposition that each situation works itself out in a life-like manner. The dialogue, which preserved the spirit of J. P. Marquand's book, effectively contrived to the tempo of each of the sequence of events in the life of the scion of the staid Boston family whose background prevented him from breaking away and marrying the girl he loved.

Told by means of flashbacks, the narrative depicts the young man's life through childhood, through World War I, his working in a New York advertising agency where he meets the girl with whom he falls in love, the taking up of his late father's business, and the clash between the life represented by Marvin Myles and the society girl whom he marries.

Running time, 117 minutes. "G."* VANCE KING

**"G" denotes general classification.*

MPTOA Hints Lack of 100% Unity Support

(*Continued from page* 1)

tice phases of an all-industry program, pointing out that while there should be no question concerning the participation of any industry element in a program designed to present a united front against unjust legislation, taxation and public condemnation of the industry, there still remain grounds for doubting whether distributors will cooperate as fully in devising a trade practice program for strictly internal application.

"The easy alibi of risk of anti-trust prosecution if they (the distributors) cooperate with each other to end industry abuses and improve the business is readily available for those who want to avoid responsibility," the bulletin states.

Backs Allied Move

Although critical of several phases of the proposed all-industry committee's makeup, the bulletin makes it clear that the MPTOA is willing to participate in the Allied States-sponsored unity program. It claims that the objectives of the program are the same as those which MPTOA has championed in the past, without success for one reason or another.

The bulletin reveals that MPTOA continues to regard the consent decree with active disfavor, asserting that the decree has solved no problem of major interest to the exhibitor and that it merely has burdened the industry with "a huge, unproductive expense and is working a real hardship on exhibitors, who were ignored in the framing of the decree."

The bulletin warns exhibitors of the prospect of new tax measures by Congress after the first of the year and advises them to make adjustments now in their admission scales commensurate with new taxes and local purchasing power.

WB to Trade Show Five on Dec. 1 and 2

Warners will trade show five features in exchanges throughout the country on Dec. 1 and 2. The films are: "The Body Disappears" and "They Died With Their Boots On," Dec. 1, and "All Through the Night," "Steel Against the Sky" and "You're in the Army Now," on Dec. 2.

Brazilian Dancer Due

Eros Volusia, Brazilian dancer, is due on the *Argentina* on Monday for a part in M-G-M's "Rio Rita."

More and more individual theatres, as well as great circuits, realize the necessity of a continuous flow of fine short product, and the desirability of assuring its continued quality. Worthy short product, like all worthy film, must earn its own way. Far-seeing exhibitors try to make it pay profits for themselves and producers by advertising it.

•

RKO RADIO has the honor of distributing some of the finest short product in the history of the industry:

THE MARCH OF TIME • WALT DISNEY PRODUCTIONS
INFORMATION PLEASE*
RKO PATHE NEWS* • PICTURE PEOPLE*
SPORTSCOPES*
LEON ERROL COMEDIES • EDGAR KENNEDY COMEDIES
RAY WHITLEY COMEDIES

**RKO PATHE subjects*

RKO RADIO PICTURES

Majors Named In Nebraska Anti-Trust Suit

(Continued from page 1)

received by home office legal departments up to late yesterday.

An absurdity enters the situation in that the distributors, charged with conspiring with the Goldberg circuit against the Epstein theatres in the Nebraska attorney general's action, are also charged by Goldberg with conspiring with the Blank theatres against his.

The litigation apparently began several weeks ago when the Blank Omaha company brought an action against Goldberg, who operates six Omaha theatres, for infractions of a lease. Goldberg responded with an anti-trust suit charging Blank and the major distributors with conspiring to put him out of business.

On Monday of this week, the Nebraska attorney general's action was filed charging Goldberg and the major distributors with conspiring to put Sam and Louis Epstein, who also operate six Omaha theatres, out of business. While information reaching home office legal circles was that the state's action is unrelated to the other two cases, some sales officials professed to see in all actions a boiling over of the spirited exhibition competition in Omaha.

Blank operates the three largest Omaha first runs and several subsequent runs. In all, a total of more than 20 of the city's 32 theatres are involved in the actions.

'Quit Picking on Films,' Says Detroit 'Free Press'

(Continued from page 1)

dumb stupid outfit they are, not producing better pictures, better stories, better actors and better photography. . . .

"Every boy fresh out of college thinks it is not only his inalienable right but his God-ordained duty to raise hell with the movies. Well, I've watched the thing grow from its nickelodeon days down to the present, and it is my belief that the movie has improved as steadily as any institution in our civilization. And in many respects it has far surpassed the publishing itself—books, magazines and newspaper—in its social and cultural responsibilities." . . .

"They have done an heroic job in creating a new art form and providing entertainment for countless millions of people in every cross-road of the world. Give them credit and quit picking on them. War has taken from them their European markets, and, in the present economic maladjustment, they have suffered as have all other trades. Call Will Hays to the stand. . . .

"I would like to have a fellow like Will Hays, f'rinstance, tell us what the motion picture industry thinks of American movie critics and the attitude of the press in general toward the flicker trade. . . .

"Once . . . I was on the program committee for the American Society of Newspaper Editors. . . . I suggested that the editors who spend 52 weeks of the year telling everybody else their faults set aside one of these weeks to have the other folks come to our meeting and tell us to our faces what they thought about us."

National Board to Open Meet Today

The National Board of Review of Motion Pictures will open its 18th annual conference at the Hotel Pennsylvania here today. The theme of the three-day meeting is "Movies in a Democracy."

John Grierson, Film Commissioner of Canada, will address the delegates this afternoon on "The Cooperation of the Film Industry with the Government Under War Conditions." Delegates will attend Dr. Frederic M. Thrasher's film course at New York University this evening.



WOV, WNEW Get Call Letter Shift

WASHINGTON, Nov. 12.—The FCC today granted the application of WOV and WNEW, New York, to exchange call letters.

Harold A. Lafount, general manager of Arde Bulova radio interests, said yesterday that the Greater N. Y. Broadcasting Corp., now owner of WOV, would broadcast under the WNEW call letters with WNEW programs, while Wodaam Corp., owner of the present WNEW, would broadcast under the WOV call letters with the latter's programs. Under the switch, the new WNEW will broadcast with 10,000 watts on 1,130 k.c. and will be eligible to apply for a 50,000 watt transmitter, while the new WOV will broadcast with only 5,000 watts on 1,280 k.c. Lafount said Bulova was the sole owner of the stock in Greater N. Y. Broadcasting Corp. and that Bulova was also majority owner in Wodaam with Richard E. O'Dea as minority owner.

Officials of the present WNEW said a statement would be forthcoming shortly but would not comment otherwise. It was indicated, however, that the corporate setups of the two stations had not been finally settled and that there was also some question whether the present WNEW would move to the present WOV studios.

Settle Lansdowne Anti-Trust Action

PHILADELPHIA, Nov. 12.—The Harrison brothers, former operators of the suburban Lansdowne theatre, settled their anti-trust suit against Warner Theatres and the major distributors out of court today when the hearing was continued this afternoon before Judge J. Cullen Ganey in U. S. District Court here. Morris Wolf, attorney for the defendants, advised the court that all parties have agreed to go through with a settlement and formal motions to dismiss the actions will be filed in a few days when the mechanics of the settlement are completed.

Will Use Film Tribunals for Other Disputes

(Continued from page 1)

last Feb. 1. Fewer than 150 cases or a nearly 10-month average of less than five cases per board, have been filed by the industry.

"I remember asking a theatre man at the time the boards were opened how many arbitration cases we might expect," Braden related. "The reply was that there are 16,000 theatres throughout the country, 50 per cent of which are independently operated so that we might expect 8,000 disputes to settle."

It was pointed out that the boards have been available for the past several months for the settlement of labor and other disputes in national defense industries.

It was learned that under the agreement with the motion picture industry, the A.A.A. will participate in the financing of the 31 board's upkeep hereafter, instead of their entire maintenance being borne by the five consenting distribution companies.

Because of the comparatively few complaints filed with the boards to date, there had been some sentiment in the industry in favor of reducing their number, but action in this direction is obviated by the new plan.

Illinois Clearance Complaint Is Filed

CHICAGO, Nov. 12.—A clearance complaint, the 11th of record at the local arbitration board, was filed today by Ray Jarman, operator of the Don Theatre, Downers Grove, Ill., against the five consenting companies.

The complaint charged that the clearance over the Don held by the B & K Tivoli, Downers Grove, and the Westmont, Westmont, Ill., should be reduced.

An intervention in the Alcyon, Highland Park, Ill., clearance complaint was filed today by AJB Theatre, Inc., operating the Liberty, Libertyville, Ill.

Pathe-DuPont Deal Approved by SEC

Approval of the proposed exchange of Pathe Film Corp. holdings in DuPont Film Manufacturing Corp. for E. I. du Pont de Nemours & Co. common stock was given yesterday by the Securities & Exchange Commission and the Commissioner of Internal Revenue for the Treasury Department, it was announced by Phillips, Nizer, Benjamin & Krim, counsel for Pathe.

The Treasury's ruling held that the proposed exchange of securities under the plan constitutes a non-taxable reorganization, which was one of the conditions on which consummation of the plan was based. As a result of the rulings the plan will be placed in operation immediately, following which Pathe Film Corp. will be dissolved.

Using Usherettes

HARTFORD, Nov. 12.—The Allyn is the latest house in the territory to take on usherettes because of the shortage of young men.

Better Shorts for Better Entertainment from UNIVERSAL



WALT LANTZ CARTUNES

STARRING

ANDY PANDA — WOODY WOODPECKER

• AND THEIR PALS •

(IN TECHNICOLOR)



★ *FEATURING TOP-HIT TUNES AND NEW COMEDY TREATMENT OF "MOTHER GOOSE" RHYMES* ★

New STANGER than FICTION

(IN SEPIA TONES)

Greater exploitation value than ever before . . . Individual titles for each subject!

New VARIETY VIEWS

(5 IN FULL COLOR)

Shorts with definite marquee power . . . Boxoffice titles that invite public interest!

New PERSONALITY & NAME-BAND MUSICALS

Rel. NOV. 5

♫ **SKYLINE SERENADE** ♫

STARRING

TED FIO RITO

& ORCHESTRA

& KINGS MEN

Featuring

CONCERTO in Bb MINOR

Rel. NOV. 26

♫ **DOIN' THE TOWN** ♫

STARRING

OZZIE NELSON & ORCHESTRA

HELEN PARRISH

BUTCH & BUDDY

Rel. DEC. 24

♫ **JINGLE BELLES** ♫

STARRING

GLORIA JEAN

MILT HERTH SWING TRIO

•

A Special Xmas Release

Special Featurette



"CAVALCADE of AVIATION"

(2-reels of Air Thrills)

packing the power of a feature production . . . The story of the pioneers and heroes of aviation!

•

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WORLD PREMIERE IN DAYTON, OHIO

4 "SUPERIOR" CHAPTER-PLAYS

Adult as Well as Juvenile Appeal—

1. "RIDERS OF DEATH VALLEY"
2. "SEA RAIDERS"
3. "DON WINSLOW OF THE NAVY"
4. "GANG BUSTERS"

UNIVERSAL "SCOOP" NEWSREEL

(ISSUED TWICE WEEKLY)

GRAHAM McNAMEE, ACE VOICE OF SCREEN AND RADIO, COMMENTATOR

ENTER *Exhibitors' Good Will "Better" Short Subjects Dating & Exploitation Contest* **& WIN $2400**

(See your exchange manager for details of contest)

MEET THE TOUGHEST "TOP KICK" IN THE U.S.A

...IN THE *WACKIEST* SERVICE COMEDY of the YEAR

TOP SERGEANT MULLIGAN



"Here's another army camp comedy that should please any audience looking for a laugh. Well produced and directed."
—SHOWMEN'S TRADE REVIEW

"Picture was greeted delightedly . . . Sterling Holloway and Nat Pendleton are right in their comic element."
—L.A. TIMES

"Army camp life film is hilarious and rough house fun maker. Has good gags, dialogue, action and romance."
—HOLLYWOOD M.P. REVIEW

"Faylen and Hall get a great break here and make the most of it . . . outstanding performance by Wonderful Smith."
—VARIETY

"Very creditable effort in the draft-comedy line . . . should register satisfactorily in revenue."
—BOXOFFICE

with

NAT PENDLETON

CAROL HUGHES · STERLING HOLLOWAY
MARJORIE REYNOLDS
FRANK FAYLEN · CHARLES HALL

Produced by LINDSLEY PARSONS
Directed by JEAN YARBROUGH · Screenplay by EDMOND KELSO
A MONOGRAM PICTURE

MONOGRAM PICTURES

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 97 NEW YORK, U.S.A., FRIDAY, NOVEMBER 14, 1941 TEN CENTS

NBC, Mutual Move to Drop Berlin Talks

Assert Censorship Kills Value of News Reports

NBC and Mutual yesterday took steps to eliminate broadcasts from Berlin unless censorship restrictions are lifted. Alex Dreier, NBC correspondent, notified his network yesterday that the ban on his talks had been lifted but NBC stated that none of his broadcasts will be accepted until assurances are received against "undue censorship."

John Paul Dickson, Mutual's correspondent, in a telephone report to

(*Continued on page 7*)

20th-Fox 39-Week Profit $1,549,164

Twentieth Century-Fox Film Corp. yesterday reported a consolidated net profit, after Federal income tax, of $1,549,164 for the 39 weeks ended last Sept. 27, after providing a reserve for foreign assets of $3,150,000. This compares with a loss of $1,075,511 for the first 39 weeks of 1940, after a comparable reserve of $2,200,000.

These improved earnings, observers feel, are reflected from the progressive increase in sales shown by the company with the new season.

For the third quarter ended September 27, the consolidated net profit, after all charges, including provision of $1,650,000 of reserve for foreign assets was $687,886. This compared with second quarter profit of $457,189, after a reserve of $1,150,000, and a loss of $1,192,824 for the third quar-

(*Continued on page 7*)

Republic Plans 16 3rd Quarter Films, Meeting Informed

Republic has nine features, seven westerns and four serials on its schedule for the third quarter of the new season, which begins about the first of the year, it was announced yesterday at the close of a two-day Eastern regional meeting at the New York Athletic Club. Titles of the films will be disclosed soon, it was said.



J. R. Grainger

Following a luncheon James R. Grainger, president, declared that Republic is enjoying the most successful year in its history.

Grainger said that Republic began selling new season product in April

(*Continued on page 3*)

RKO 39-Week Net Is Up to $664,774

RKO yesterday reported consolidated net profit of $644,744 after all charges for the 39 weeks ended Oct. 4. The result compares with net profit of $318,385 for the corresponding period last year.

Operating profit before the usual deductions for the first three quarters of 1941 amounted to $1,971,201, compared with $1,867,691 last year.

(*Continued on page 7*)

Para. and National Circuits Close Deal

Paramount has closed deals on the first two blocks for the new season with Fox West Coast, Fox Midwest, Fox Intermountain, Fox Wisconsin and Evergreen State Theatres, Neil Agnew, distribution chief, announced yesterday.

The deals followed resumption of negotiations between Paramount and National Theatres units, and were negotiated by Charles M. Reagan, assistant sales manager, during a trip West. Discussions were held between Agnew and Spyros Skouras, head of National, late last week.

Films' Strength Is In Entertainment, Grierson Declares

"The strength of the film industry lies precisely in the fact that it is an entertainment industry. What is most valuable to the State in time of war as in time of peace is that it commands a vast audience who go genuinely and spontaneously for the emotion stimulus which the movies give them," John Grierson, Canadian Film Commissioner, told the annual convention of the National Board of Review, meeting at the Pennsylvania Hotel yesterday.

Defining the policy of the Canadian Government with respect to films during time of war, he said: "We

(*Continued on page 7*)

$319,000 Year Budget Is Set On Arbitration

Credits to Majors Under Expansion Plan

A budget of $319,000, of which $25,000 is a contingent fund, has been set for the operation of the 31 arbitration boards for the ensuing 12 months under the new plan by which the boards are being opened to the arbitration of general industrial disputes as branch offices of the American Arbitration Association, rather than as exclusively motion picture tribunals.

Under the new plan, the five consenting distributors, responsible for the maintenance of the boards under the consent decree, will receive 50 per cent of the fees aid into the local boards by parties to arbitration cases. Their share of the fees will be credited to their budget obligation.

The consent decree allowed a maximum budget of $490,000 for the first

(*Continued on page 7*)

Univ. Opens Sales Meeting Tomorrow

Universal's second mid-season sales meeting is scheduled to open at the Hotel Astor tomorrow, with W. A. Scully, vice-president and general sales manager, presiding.

Home office officials and district and branch managers from the Eastern and Southern territories will attend. On the speakers' list are: Nate J. Blumberg, president; J. Cheever Cowdin, chairman of the board; Matthew

(*Continued on page 7*)

Unity Meeting Seen For Early December

A meeting of representatives of all branches of the industry to discuss the formation of the unity committee proposed by Allied States is in prospect for the first week in December. Representative industry figures are being canvassed as to the place and date. Either New York or Chicago are said to be favored as the meeting place.

Short Subjects Have Their Day at Big Ampa Meeting

By SHERWIN A. KANE

"If short subjects are worth producing, they are worth buying, and if they are worth buying they are worth selling," is a maxim propounded by R. J. O'Donnell of Interstate Circuit. It was elaborated upon by Besa Short, head of the short subject department of the Southwest's largest circuit, for the consideration of several hundred persons at the Ampa short subjects luncheon yesterday at the Hotel Edison.

Observers said the meeting was one of the largest and liveliest in Ampa

(*Continued on page 7*)

Kaufman Slate Is Renamed in Newark

The entire administration slate of Newark's operator union, Local 244, was renominated at a meeting attended by 140 of the local's 160 members early yesterday. George Gilligan, who has brought a receivership suit to oust the incumbents and Louis Kaufman, indicted business agent, was named to head an opposition slate. Elections will be held Dec. 9.

Applause greeted the statement of administration supporters who de-

(*Continued on page 7*)

Report Masters Talks Odeon Circuit Post

Toronto, Nov. 13.—It is reported here that Haskell Masters, Western sales manager for United Artists, is discussing a deal with N. L. and Paul Nathanson whereby he will become general manager of the Odeon Circuit in Canada.

Haskell Masters was reported last night in Detroit en route to Toronto. He could not be reached for comment.

'Ceiling' on Canada Scales Is Delayed

Ottawa, Nov. 13.—The effective date of the "ceiling" on admission prices to motion picture theatres in Canada, set by the War Time Price and Trade Board, has been postponed from Nov. 17 to Dec. 1, Finance Minister J. L.. Ilsley announced.

The "ceiling" has been fixed at the maximum charged by any theatre during the period from last Sept. 15 to Oct. 11.

Browne-Bioff Bail Hearing Up Today

The application for bail pending appeal by William Bioff and George E. Browne was postponed by U. S. Circuit Court of Appeals Judge Thomas W. Swan yesterday afternoon until this morning. Judge Swan explained that the full bench of three judges should hear the motion. Only Martin Conboy, attorney for Browne, appeared in court on behalf of the defendants.

Personal Mention

W. G. VAN SCHMUS, managing director of the Radio City Music Hall, is convalescing after a short illness.

•

GEORGE L. CARRINGTON, Altec Service general manager, and E. Z. WALTERS, comptroller, have returned from the Coast.

•

LESTER KRIEGER, assistant to TED SCHLANGER, Warner Theatres zone chief in Philadelphia, is recovering from an illness.

•

CLAYTON CASBERGUE with Warners in New Orleans and WALTER DESFORGES with 20th Century-Fox in the same city have been called to the Army.

•

JACK FROST, with National Theatre Supply in Des Moines, and MRS. FROST have named their new son STANLEY ALLAN.

•

THEODORE ROSENBERG, of Affiliated Theatres, Philadelphia, is ill at his home.

ROY DISNEY is in town from the Coast.

•

JAMES P. CLARK of Philadelphia has bought a farm at nearby New Hope, Pa.

•

JAMES H. KAYLOR, Warner booker in Indianapolis, will be inducted into the Army Nov. 24.

•

R. M. SAVINI is on a trip through the South and Midwest, and is due back next Monday.

•

BEN ROSENTHAL, Columbia booker in Philadelphia, had his appendix removed at Hahnemann Hospital.

•

NICK SANDERSON, assistant to Richard Kemper, manager of the Erlanger Theatre, Buffalo, will have three oil paintings on exhibition at the Buffalo Arts Fair next week.

•

EDWARD ROSENBAUM, Columbia exploitation representative in Philadelphia, is confined to the Jewish Hospital.

Opening of Play Is Delayed to Sunday

"Little Dark Horse," adaptation of a French comedy by Theresa Helburn, which was scheduled to open at the Golden Theatre last night, has been postponed until Sunday night. Donald Blackwell and Raymond Curtis are the producers.

Will Speed Making Of Training Films

WASHINGTON, Nov. 13. — Production of training films for the Army will be speeded as a result of conferences just concluded here, it was announced today by the War Department.

Present at the meetings were Col. Nathan Levinson, Lt. Col. Darryl Zanuck, and Major John Aalberg, who are officers of the Signal Corps and members of the Motion Picture Section of the Chief Signal Officer's advisory council.

Details of the discussions were not made public, but it was said they will result in accelerating the flow of pictures used for the training of soldiers. About one-third of the films are being produced commercially in Hollywood, but the greatest volume comes from the training film production laboratories at Fort Monmouth, N. J., and Wright Field, Ohio.

Buchman Elected President of SWG

HOLLYWOOD, Nov. 13. — Sidney Buchman has been elected president of the Screen Writers Guild, succeeding Sheridan Gibney. Other officers are Ralph Block, vice-president; Robert Rossen, secretary, and Lester Cole, reelected treasurer.

The executive board includes: Claude Binyon, Block, Marc Connelly, Joseph Fields, Richard Maibaum, Gibney, Mary McCall, Jr., Allen Scott, Rossen, Stanley Rubin, Dwight Taylor, Harry Tugend. The bargaining committee will meet again Monday night with producers on the contract agreed upon in principle some time ago.

Mrs. Sydne Silverman Funeral Rites Today

Funeral services for Mrs. Sydne Silverman, wife of the publisher of *Variety*, who died at her home Wednesday following a long illness, will be held this afternoon. The services will be private.

Tie in 'U' Premiere With Army Program

Universal's premiere at the Fox in Detroit next Wednesday of "Keep 'Em Flying," Abbott and Costello film, will be tied in with the Army Air Corps Keep 'Em Flying Program, beginning Nov. 27. A large group of Hollywood personalities, including the film's stars, will attend.

Mayor Jefferies of Detroit has proclaimed Wednesday as Keep 'Em Flying Day. A City Hall rally will open the activities, followed by a parade. A mass flight over the city, originating at Selfridge Field, is planned. The premiere is expected to be broadcast by Mutual from the lobby. Hollywood and New York press representatives will attend.

Several Comerford Managers Shifted

CARLISLE, Pa., Nov. 13.—Richard Ranck has been promoted to manager of the Strand Theatre here. Other Comerford circuit changes include: Joseph Clifford, to manager of the Ritz Theatre, Hawley, Pa.; Walter Yanovich, to Lyric Theatre, Honesdale, Pa.; Charles Collins, Columbia Theatre, Bloomsburg, Pa.; Donald Neff, Savoy Theatre, Northumberland, Pa.; C. J. Carroll, Freedman Theatre, Forest City, Pa.; Jack Weber, Colonial Theatre, John Monahan, Capitol Theatre, Sam Scott, Jackson Theatre, all of Lebanon, Pa.

Richard Pitman Dies

Richard Pitman, an actors' agent and a former actor and Broadway stage manager, died yesterday at the Mary Immaculate Hospital in Jamaica, L. I. Pitman had been ill since May. He had appeared in a number of stage hits.

M. P. Associates to Meet

Motion Picture Associates will meet tomorrow at the organization's club rooms in the Hotel Lincoln. Joseph J. Lee will preside.

Ascap Will Conform To Washington Law

SEATTLE, Nov. 13.—Ascap officials reached an agreement with State Attorney General Smith Troy here today under which the society will comply with the so-called state anti-Ascap law. The agreement paves the way for Ascap to resume licensing of Washington theatres, radio stations and other music users and to collect fees accrued to Ascap in the last four years.

Under the agreement, Ascap will file a list of its compositions with the secretary of state as required by the statute and will abandon its appeal to the U. S. Supreme Court of the Federal statutory court's decision upholding the validity of the state law. The appeal had been scheduled for hearing in the high court on Dec. 8.

Washington theatres and radio stations have paid no Ascap fees since enactment of the state anti-Ascap law in 1937. Under the agreement reached they will not only be required to again obtain licenses but presumably, will also have to effect agreements with the society on payments for any Ascap music used by them during the four-year period. It is believed here, however, that some compromise on the latter will be effected.

Wobber and Gehring To Visit 3 Branches

Herman Wobber, general manager of distribution for 20th Century-Fox and William C. Gehring, Central division manager, will leave by plane tomorrow on a visit to the Des Moines, Omaha and Minneapolis branches. They expect to return before Thanksgiving.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th Street & 6th Avenue
FREDRIC MARCH • MARTHA SCOTT
"ONE FOOT IN HEAVEN"
A Warner Bros. Picture
ON STAGE: "THE WALTZ KING"—melodies of Johann Strauss . . . produced by Leonidoff. Symphony Orchestra direction of Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

Fred MacMurray
Mary Martin
Robert Preston
IN PARAMOUNT'S
"NEW YORK TOWN"

IN PERSON
Bill Robinson
Jimmie Lunceford
and band

PARAMOUNT TIMES SQUARE

CARMEN CESAR ALICE JOHN
MIRANDA-ROMERO-FAYE-PAYNE
'WEEK-END in HAVANA'
PLUS A BIG STAGE SHOW **ROXY** 7th Ave. & 50th St.

RKO **PALACE** B'WAY & 47th St.
Tyrone Power—Betty Grable
"A YANK IN THE R.A.F."
—and—
"HURRY, CHARLIE, HURRY"
with Leon Errol

4th Big WEEK
WALT DISNEY'S
DUMBO

Continuous Performances Popular Prices Doors Open 9:30 A. M.
at the BROADWAY 53rd St. & B'way Cl 6-5353
IN TECHNICOLOR
Mezz. Seats Reserved

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists **RIVOLI** Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows.

Republic Plans 16 3rd Quarter Films, Meeting Informed

(Continued from page 1)

when other companies were faced with uncertainty of consent decree operations. At present, he said, Republic has contracts with every independent and affiliated circuit in the country with two exceptions and deals with those two are expected to be closed within two weeks. The percentage increase over last year, he said, is 40 per cent.

Foreign Business Doubled

Discussing the foreign market, Herbert J. Yates said that business in England, Australia and New Zealand is about double last year.

Morris J. Siegel, head of Republic Productions, told of an "expensive effort and campaign" which Republic will get under way immediately to build up its stars. He said all Gene Autry vehicles will have "special premiere" budgets as did "Down Mexico Way." Siegel will remain here until the end of next week.

Those in Attendance

Branch managers and franchise holders attending the session included: Arthur Newman, Albany; M. E. Morey, Boston; Jack Bellman, Buffalo; Sam Seletsky, New Haven; Morris Epstein, New York; Nat L. Lefton, Cincinnati and Cleveland; Sam P. Gorrel, Cleveland; George H. Kirby, Cincinnati; Max Gillis, Philadelphia; J. A. Alexander and Sam A. Fineberg, Pittsburgh; Jake Flax, Washington, and Sam Seplowin, Detroit. From the home office were Grover C. Schaefer, Walter Titus, J. J. O'Connell, Seymour Boris, Harry Marcus, Jack Pindat and Charles Reed Jones. Grainger left last night for Boston. He will return on Monday.

Ask Canada Music Royalty Increase

OTTAWA, Nov. 13.—An increase of fees to be collected from radio has been proposed by Canadian Performing Rights Society, Ltd., (Ascap) and BMI Canada, Ltd., for 1942, it was revealed today when the proposed schedule was published in the *Canada Gazette*.

PRS was permitted to collect $107,612 for 1941 and the proposed 1942 schedule calls for $203,660. Persons having objections to the new fees must file particulars with the Secretary of State before Nov. 30. The objections will be studied by the Copyright Appeal Board and hearings are expected to be held early in December.

PRS suggests that in 1942 a semi-annual fee of $20 be paid for each portable sound producing and motion picture projector, and an annual fee of $10 for coin phonographs.

BMI proposed for 1942 a levy of $38,792 from radio as compared with $13,451 for 1941, but makes no proposals for fees other than from broadcasters. The BMI request is equivalent to one-third of $116,377, this amount being computed on the basis of eight cents for each of the 1,454,717 sets licensed in Canada on March 31.

Reviews

"Confirm or Deny"

(20th Century-Fox)

THERE are timeliness, punch, and plenty of thrill in this newspaper yarn, set against a background of London in the period of the worst of the Nazi air blitz raid on the English capital in September of 1940. With Don Ameche and Joan Bennett heading the cast, and with setting depicting bomb-ravaged London giving a strong stamp of authenticity, the exhibitor should have a really exploitable picture here.

Young Roddy McDowell, the small boy who scored so heavily in "How Green Was My Valley," again proves that he is a young actor of exceptional talent and wide appeal. The support otherwise includes Raymond Walburn, Eric Blore, Arthur Shields and John Loder.

Archie Mayo, who directed, imparted to the film pace and a well-knit development, while Len Hammond, responsible for the production, saw to it that the picture had technical values of the best.

Ameche is the go-getting head in London of an American news syndicate, who by sheer drive forces his staff to function despite constant air raids. He meets Miss Bennett, teletypist for the Ministry of Information, during a blackout, and the two are attracted to each other. When the syndicate offices are bombed out, he usurps the wine cellar of a hotel, wrangles help—and Miss Bennett—from the Information Ministry, and continues his work. McDowell, remaining on the roof of the syndicate offices to watch for a pigeon message from the Continent, gets it but is killed in the raid. Miss Bennett and Ameche are trapped in the cellar with a live time bomb, Ameche cancels his invasion story in order not to give information to the enemy, and the couple finally are rescued, with a romantic conclusion apparent.

Running time, 73 minutes. "G."* CHARLES S. AARONSON

"Tarzan's Secret Treasure"

(M-G-M)

HIGH adventure in the African jungle, where the redoubtable Tarzan rules supreme in his own Utopian world, is the backbone of this latest chapter in the stories of the characters based on the creations of Edgar Rice Burroughs. Once again, Johnny Weissmuller appears in his familiar Tarzan role, racing through the tree-tops, swimming under crocodile-infested rivers and frightening hordes of natives in protecting his wife and son, and their home from the inroads of civilization.

Maureen O'Sullivan again is seen as Jane, Tarzan's wife, and John Sheffield, as their son, displays remarkable ability in the water, a pleasing personality, and commendable capability as a young actor. Reginald Owen, as the leader of a scientific expedition, and Tom Conway and Philip Dorn, as members whose thirst for gold almost brings disaster to Tarzan's family, are in support. A special word is due Barry Fitzgerald, Irish truck driver for the group, who assists Tarzan's wife and son, and whose comedy touch is a highlight in the production.

Given excellent production values by producer B. P. Fineman, and directed with swift and unflagging pace by Richard Thorpe, the picture should offer plenty of opportunity for the exhibitor. It is, of course, a natural for the younger generation, and there is no reason why the elders cannot find much to enjoy in this film of delightful unreality.

Running time, 81 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Station-Break Rule Is Revised by FCC

WASHINGTON, Nov. 13.—The FCC today revised its regulations to permit station identification announcements to be made at the quarter-hour before or after the hour instead of only on the hour and half-hour. It was explained that this will place all half-hour programs on a parity so far as station breaks are concerned.

The FCC also formally announced that the network regulations had been postponed in accordance with stipulations filed in the CBS and NBC suits for injunctions.

Kestenbaum in PRC Post

Samuel S. Kestenbaum, formerly in charge of prints for Producers Releasing Corp., has been named assistant to Joseph O'Sullivan, director of advertising and publicity.

N.Y. Collects Fee on Public Television

Following the recent installations of coin-in-the-slot film machines in New York City, License Commissioner Paul Moss has started a drive to collect $2 monthly fees not only from these machines but from television sets installed in public places as well. The demand is based on an old ordinance providing for licenses for "a display on a screen or other device of pictures or objects in motion or rapidly changing scenery."

Moss said about 50 television set operators had taken out licenses. He would not estimate the number in the city and added that no effort would be made to collect from home receivers, although the ordinance covers homes also. A legal test of the commissioner's right to collect the fees is expected from television set manufacturers.

Exhibitor Interest On 'Swamp Water'; B'way Grosses Big

"Swamp Water," 20th Century-Fox picture opening at the Globe tomorrow, holds New York exhibitor interest. The picture comes here after an exceptional campaign and record business in St. Louis. Similarly in San Francisco the picture brought in a gross of reportedly record proportions.

This gives 20th Century-Fox three films on Broadway, with "Week-End in Havana" at the Roxy and "How Green Was My Valley" at the Rivoli, thus dominating the Main Stem.

Broadway Week Strong

Broadway had a week of generally big grosses. Strong business over the weekend and on Armistice Day accounted for much of the income. Grosses slackened somewhat at most houses after the holiday.

Top business of the week was registered at the Roxy, playing "Week-End in Havana," and the Radio City Music Hall with Universal's "Appointment for Love." "Week-End in Havana" with a stage show rolled up an estimated $62,000 in its first week and starts a second week today. Because of a crowded booking schedule "Appointment for Love," with the stage presentation, checked out of the Music Hall after an estimated $93,000 week, a gross that ordinarily would warrant extended playing time. Warners' "One Foot in Heaven" opened there yesterday.

'Valley' $38,700, Second Week

At the Rivoli, "How Green Was My Valley" continues to draw heavily. It finished its second week Tuesday night with an estimated $38,700 and is now in its third week. "The Chocolate Soldier" had a second week at the Astor estimated at $14,000 and begins a third week today.

"International Squadron" started at the Strand yesterday with Terry Powell and orchestra on the stage after the run of "Sergeant York." The latter with Phil Spitalny's orchestra grossed an estimated $21,800 in its final six days. The film played one day short of four weeks.

"Frightened Lady" bows out of the Globe tonight with a gross for the week expected to reach an estimated $4,000. "South of Tahiti" finishes its first week at the Rialto with an estimated $7,200 expected and holds over.

Fowler With News Service

Paul J. Davis, president of Theatre Communications, Inc., named R. Clifford Fowler as sales manager. The company plans to serve spot news to theatres through Altec Service Corp. The service and equipment are free to theatres, with national advertisers sponsoring. Fowler formerly was a radio producer.

Union Election Monday

NEW HAVEN, Nov. 13.—Local 273 of the projectionists union will hold its annual election meeting on Monday, with Anthony Basilicato presiding. Final ratification of operators' new contracts with circuits in this territory is on the agenda.

Picture forecast— PROFIT VISIBILITY



BUD ABBOTT and LOU COSTELLO in

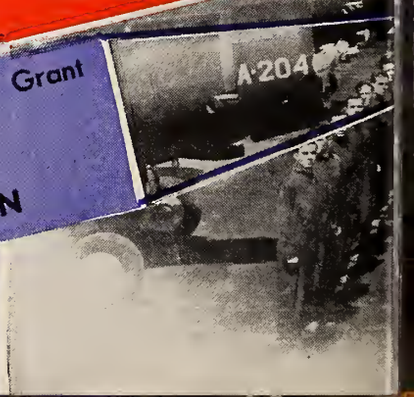
"KEEP 'EM FLYING"

with

MARTHA RAYE • CAROL BRUCE
WILLIAM GARGAN • DICK FORAN

CHARLES LANG • SIX HITS

Screenplay by True Boardman, Nat Perrin, John Grant
Original Story by Edmund L. Hartmann
Directed by ARTHUR LUBIN
Associate Producer GLENN TRYON



UNLIMITED !

• ALL OVER THE COUNTRY EXHIBITORS ARE MAKING ROOM TO LET THOSE ABBOTT AND COSTELLO GROSSES ZOOM!



WORLD PREMIERE FOX THEATRE IN DETROIT, NOV. 19!

Abbott & Costello, Carol Bruce, Dick Foran, Martha Raye, Maria Montez — IN PERSON!

NETWORK BROADCAST OF PREMIERE COAST-TO-COAST!

MAYOR DEDICATES DATE AS "KEEP 'EM FLYING" DAY!

15,000 POSTERS DISTRIBUTED THROUGHOUT DETROIT!

BIG RECEPTION AT FORD PLANT!

"KEEP 'EM FLYING" SECTIONS IN CITY'S NEWSPAPERS!

A UNIVERSAL PICTURE

NATIONAL RELEASE NOV. 28th

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 17	Blonde from Singapore (D) Roaring Frontiers (O) (1941-42)	Honky Tonk (D) 204 *Clark Gable Lana Turner* Married Bachelor (C) 205 *Robert Young Ruth Hussey* Smilin' Through (M) 206 *J. MacDonald* Feminine Touch (C) 207 *Don Ameche*	Top Sergeant Mulligan (D) *Nat Pendleton* (1941-42)		Hard Guy 205 (D) *Jack LaRue* (1941-42)	Down Mexico Way (O) 042 Jesse James at Bay (O) (1941-42)	All That Money Can Buy (D) 205 *Arnold-Huston* (1941-42)	Weekend in Havana (M) 214 *Faye-Miranda* (1941-42)	Niagara Falls (C) (Streamliner) *Tom Brown* (1941-42)	Burma Convoy (D) South of Tahiti (D) (1941-42)	The Maltese Falcon (D) 107 *H. Bogart Mary Astor* (1941-42)
Oct. 24	3 Girls About Town (C) *Joan Blondell Binnie Barnes* (1941-42)		Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Billy the Kid Wanted 257 (O) *Buster Crabbe* (1941-42)	Gauchos of Eldorado (O) 162 *3 Mesquiteers* (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Moon Over Her Shoulder (C) 215 *Lynn Bari*		Flying Cadets (D) 6028 *William Gargan Edmund Lowe* (1941-42)	
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)		Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Mr. Celebrity 114 (D) *Buzzy Henry James Seay* (1940-41)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)		Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March Martha Scott* (1941-42)
Nov. 7	The Stork Pays Off (C) 3036 *M. Rosenbloom Rochelle Hudson* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy Rise Stevens*	Siren of the South Seas (Re-issue) (1941-42)	Birth of the Blues (M) 4109 *Crosby-Martin* (1941-42)	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray F. Langford* (1941-42)	Target for Tonight (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson Edw. Arnold*			Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry Smiley Burnette* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	Hot Spot (D) 216 *Grable-Landis Vic Mature* (1941-42)	Miss Polly (C) (Streamliner) *Zasu Pitts* (1941-42)	Paris Calling (D) *Scott-Bergner* (1941-42)	Blues in the Night (D) *Priscilla Lane Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell Myrna Loy*	Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) 1941-42 Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*	I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)		Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Corsican Brothers (D) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello Martha Raye* (1941-42)	
Dec. 5	Sing for Your Supper (C) *J. Falkenburg Buddy Rogers* (1941-42)		Borrowed Hero (D) Lone Star Law Men (O)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio Jack La Rue* (1941-42)			Swamp Water (D) 218 *Huston-Brennan Dana Andrews* (1941-42)	Dudes are Pretty People (C) (Streamliner) (1941-42)	Don't Get Personal (C) *Hugh Herbert* (1941-42)	
Dec. 12	Honolulu Lu (D) *Lupe Velez Leo Carrillo* (1941-42)		Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 *Buster Crabbe* (1941-42)	Behind Broadway Lights (D) *James Ellison* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	Destiny (D) *Claude Rains Bela Lugosi* (1941-42)	
Dec. 19	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)		Boy of Mine (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	Red River Valley (O) *Roy Rogers Gabby Hayes* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornell Wilde* (1941-42)		Melody Lane (C) Road Agents (D) (1941-42)	
Dec. 25	Harvard, Here I Come (C) *M. Rosenbloom* (1941-42)		Forbidden Trails (O) Here Come the Marines (D) (1941-42)		Blonde Comet (D) *Virginia Vale Robert Kent* (1940-41)	West of Cimarron (O) *3 Mesquiteers* (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)		The Gold Rush (Re-Issue) *Chas. Chaplin* (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	
Jan. 2			Freckles Comes Home (D) *Johnny Downs Gale Storm* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd Lee Powell* (1941-42)	Born to the Saddle (O) *Don Barry* (1941-42)	Fantasia (Disney Feature) 292 (1941-42)		Twin Beds (C) (1941-42) *Joan Bennett George Brent* (1941-42)		

ilms' Strength ntertainment, rierson Says

(Continued from page 1)

ke the film industry as it is. We n't try, because there is a war on, build some other kind of film try. We take it the way it is; a showmen's industry dedicated to lowmanship and commanding the at- tion of a Canadian audience of two d a half million people who hap- n to be interested in and happen to ed showmanship."

Must Uphold Standards

"Government pictures must not dis- rb the mood of the audience which expecting an emotional stimulus, t should preserve that mood," he ointed out. "In fact we pledged our- lves that whatever we might ask e theatres to carry in the way of blic information would have to easure up to the normal standards interest, entertainment and emo- nal stimulus, or we would our- lves be the first to jerk it."

Grierson remarked that the series Canada Carries On," which is the ief Government film enterprise, is ld and not given away. "We were lling it commercially, because if it asn't good enough to sell commer- ially, we weren't any more inter- sted in it than the industry. In ther words, we decided to put our ork on a normal entertainment asis, and use that as a measuring tick of our success in public infor- nation." As proof of the commercial uccess of the series, he said that bout 90 per cent of the theatres in anada have bought it.

One a Month Enough

"My most difficult job as Commis- sioner," he said, "is not to keep the ndustry in line but to explain to the arious Government departments, who are howling for screen space that one issue of the series a month is enough high pressure."

In conclusion Grierson said in gen- eral the business of production and distribution should be left to those who know it by experience and the Government film body should main- tain intimate, cooperative, continuous and creative contacts with the in- dustry.

The Board of Review conference will conclude tomorrow.

RKO 39-Week Net Is Up to $664,774

(Continued from page 1)

Depreciation for the 39 weeks this year is listed at $997,658; provision for income taxes, $289,266, and pro- vision for dividends on the preferred stock of Keith-Albee-Orpheum in the hands of the public, $39,501.

For the 53 weeks ended last Oct. 4, the company and its subsidiaries show a net loss of $661,801 after all charges. The company reported net profit of $485,605 for the first half of the current year, indicating net for the third quarter of $159,169.

Set New Army Show

WASHINGTON, Nov. 13.—A new revue for Army camps in the Capital area will be produced by Harry Anger, manager of Warners' Earle.

Short Subjects Have Their Day at Big Ampa Meeting

(Continued from page 1)

history, crowded with talent and executive names and marked by a spontaneous ovation to William S. Hart, who was singled out among the many who occupied a double dais.

The Interstate Circuit's department which Miss Short heads was created by O'Donnell eight years ago for the purpose of booking short subjects, building shorts programs of merit, and selling the subjects with the atten- tion usually given to features.

Billed With Feature

"Many subjects," Miss Short said, "are given equal billing with the fea- ture and some are billed above the feature in our campaigns."

"Sneak" previews, world premieres and special advertising and publicity campaigns are staged by her depart- ment for the glorification and busi- ness returns of the short subject.

A short on a men's cooking contest landed 20,000 lines of publicity in the papers of Interstate's theatre area, and the campaign itself was not unusual in the department's custom of making box-office material of short subjects. And along with the cash returns, Miss Short pointed out, a perfect defense against "the short sub- ject's worst enemy—double features," has been set up.

Numerous personalities and acts featured in the shorts of the major companies attended the meeting and many of them contributed to the en- tertainment. Door prizes, souvenirs, decorations and short subject char- acters enlivened the proceedings which were kept on the move by Robert Benchley as master of ceremonies and Vincent Trotta, Ampa president, as chairman.

Hammons Introduced

Among the many dais occupants in addition to those mentioned were: Earle W. Hammons, introduced as "the father of the short subject"; short subject sales managers includ- ing Norman Moray, Oscar Morgan, Bernard Kreisler, Max Weisfeldt, Harry Michalson and William Clark; John Kieran, Graham McNamee, Jack L. Warner, Grantland Rice, Craig Wood, Bud Abbott and Lou Costello, Don Baker and Juanita Juarez.

Univ. Opens Sales Meeting Tomorrow Scully to Preside

(Continued from page 1)

Fox, vice-president and studio rep- resentative; J. J. O'Connor, vice- president; F. J. A. McCarthy, South- ern and Canadian division manager; Fred Meyers, Eastern division man- ager; E. T. Gomersall, Western di- vision manager; E. L. McEvoy, spe- cial representative; Jules Levey, Bernard Kreisler, short subjects man- ager; J. J. Jordan, F. T. Murray, A. J. Sharick, Morris Alin and Lou Pollock.

Here from Canada to attend the meeting are: Paul Nathanson and A. W. Perry of Empire-Universal Films. From the field will be: Dave Levy, New York branch manager; Harry D. Graham, Southern district man- ager, and the following branch man- agers: W. M. Richardson, Atlanta; J. A. Pritchard, Charlotte; H. I. Mansfield, Memphis; Leroy Brauer, New Orleans; Dave Miller, district manager, and branch managers J. J. Spandau, Albany; J. J. Scully, Buf- falo; J. V. Frew, Cleveland, and P. T. Dana, Pittsburgh; Jules Lapidus, district manager, and branch man- agers Paul Baron, Boston; J. V. Pavone, New Haven; George E. Schwartz, Philadelphia, and Max Cohen, Washington.

Reception at Music Hall

At a reception at the Radio City Music Hall yesterday, Dr. Daniel Poling, technical advisor on War- ners' "One Foot in Heaven," an- nounced the formation of an organi- zation for ministers' sons and daugh- ters. Among those present were Casey Robinson, Gus S. Eyssell, Mort Blumenstock, John Harkins and Mitchell Rawson.

Kaufman Slate Is Renamed in Newark

(Continued from page 1)

clared it would be "a fatal mistake" to change officers now. Kaufman, who is charged with having extorted more than $1,000,000 from four major companies, still has two years to go on his seven year term as business agent. He is under Federal indict- ment with Nick Dean, alias Circella, of Chicago.

William J. Brennan, Jr., special master in chancery, who was ap- pointed to supervise the nominations, declared in his report that 99 per cent of the membership was employed and the other one per cent could be em- ployed except that some regarded it as "beneath their dignity" to work for less than $70 weekly.

Incumbents renominated were Harold Shadbolt, president; Daniel Oliner, vice-president; Harry Oppen- heimer, recording secretary, and Wil- liam C. Uessler, treasurer. Opposing are Gilligan, for president; Charles Strong, vice-president, and William Nugent, recording secretary. Uessler is unopposed.

An appeal for unity was made fol- lowing the nomination.

20th-Fox 39-Week Profit $1,549,164

(Continued from page 1)

ter of 1940, also after providing a reserve of $1,400,000.

No portion of the earnings of Na- tional Theatres Corp. is included in these figures since no dividends were declared by that company during the first 39 weeks of either year.

The corporation is not liable for excess profits tax on the earnings for this period, it was stated.

Directors of 20th Century-Fox yesterday declared a dividend of 37½ cents a share for the fourth quarter of 1941 on the preferred stock, pay- able Dec. 4 to stockholders of record Dec. 10.

$319,000 Year Budget Is Set On Arbitration

(Continued from page 1)

year of the board's operation, 10 months of which was completed at a cost of $300,000, including furnish- ing and equipping the new offices. The decree allows a maximum budget of $465,000 a year for subsequent years of operation.

The AAA will call clerks of the 31 local boards to New York during the next few weeks to instruct them in their added duties in handling complaints other than those of the film industry. Only the theatre com- plaints will have recourse to the national appeals board.

The AAA on its own initiative will open other arbitration offices in sev- eral sections of the country, apart from the 31 key cities, under its ex- panded operating plan, but these will not be available to exhibitors. No diminution of arbitration service to members of the film industry will re- sult from the expanded operations, Cornelius V. Whitney, president of the AAA, stated.

Members of the budget committee are Joseph H. Hazen of Warners, for the industry; Paul Felix War- burg for the AAA, and Van Vechten Veeder of the national appeals board.

New Cicero, Ill., Clearance Complaint

CHICAGO, Nov. 13.—Benjamin and Albert Bartelstein, operating the Annetta, Cicero, Ill., today filed a clearance complaint against the con- senting companies. Lasker & Son's Villas Theatre and Schoenstadt's Pal- ace are named as having unreason- able clearance.

The complaint of the R & G The- atre Corp., operating the Olympic, Cicero, against the consenting com- panies was dismissed today at the complainant's request. The Villas and Palace theatres were named.

Hearing of the Portage Theatre clearance complaint has been post- poned to Dec. 8 by stipulation of parties.

NBC, Mutual Act to Drop Berlin Talks

(Continued from page 1)

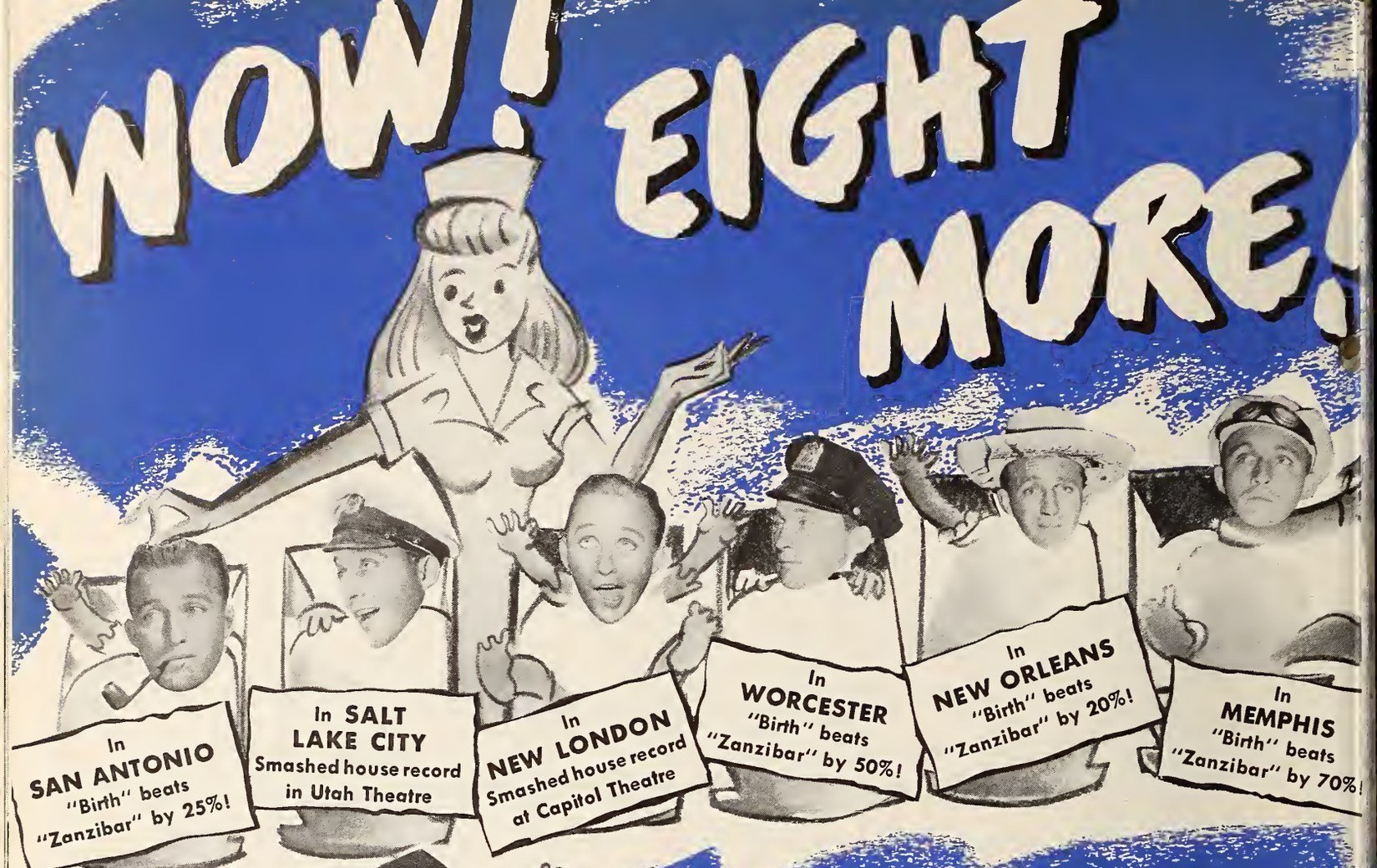
Adolph Opfinger, MBS program di- rector, suggested that his reports be discontinued as "censorship has made them useless at this time." Opfinger canceled all pickups from Berlin. Dickson complained that radio cor- respondents were not given the same treatment accorded newspapermen, that broadcasters were frequently in- structed to report material from offi- cial propaganda agencies, and simi- lar matters.

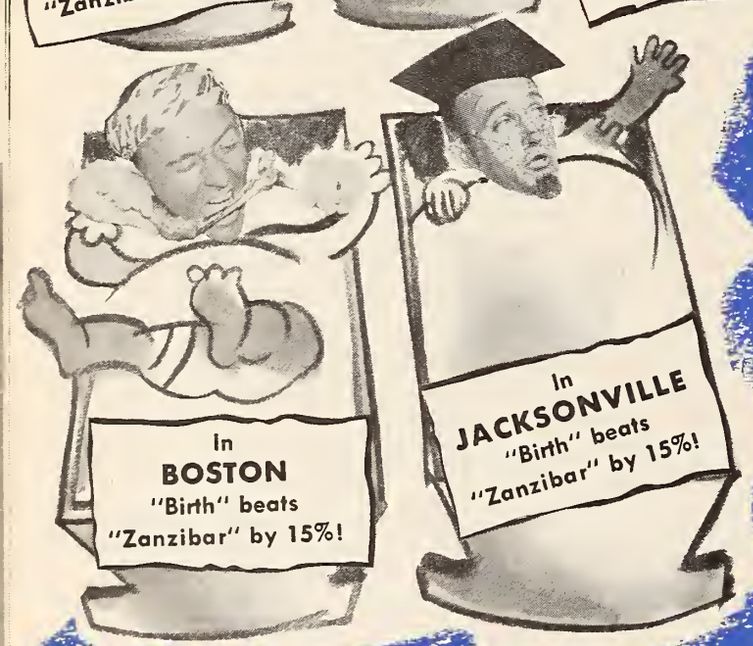
At CBS, it was said that broad- casts from Berlin are continuing as usual.

Will Discuss Arbitration

Dr. Wesley A. Sturges, Yale law professor and a director and mem- ber of the executive committee of the AAA, will discuss operations of the motion picture arbitration sys- at Northwestern University, Chi- cago, on Monday.

WOW! EIGHT MORE!





RECORD AFTER RECORD BROKEN ON PARAMOUNT'S BLESSED EVENT!

Paramount's

"BIRTH OF THE BLUES"

BING CROSBY · MARY MARTIN · BRIAN Donlevy · CAROLYN Lee · Rochester

Carroll Naish • Jack Teagarden and His Orchestra • Directed by Victor Schertzinger

Play by Harry Tugend and Walter DeLeon • Story by Harry Tugend

Paramount Pictures

DO NOT REMOVE

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 50. NO. 98 NEW YORK, U. S. A., MONDAY, NOVEMBER 17, 1941 TEN CENTS

tate to Air Trust Charge In Neb. Soon

ccuse Nine Distributors Of Conspiracy

OMAHA, Nov. 16. — The State's rges in the Nebraska anti-trust t against the R. D. Goldberg cir- t and nine distributors will be ed at a preliminary hearing, the e for which is expected to be set state court within the next few s. Republic Pictures Midwest, ., is included as a defendant.

The action, brought by Nebraska torney General Walter R. Johnson. rges the circuit and distributors h conspiring in violation of the te anti-trust laws to put out of bus- ss the Epstein Theatres Corp. first sequent run houses, and the A. H.

(Continued on page 6)

oercion Unproved: rescent to U. S.

NASHVILLE, Nov. 16. — Crescent nusement Co.'s main brief in the vernment's anti-trust action against circuit and "Little Three," filed sterday in U. S. District Court re, declared "the Government has iled to prove any coercion of the stributors by the defendant exhibi- rs other than the ordinary and rmal coercion which takes place in y business, resulting from normal mpetitive activities."

"The ninth conspiracy relied upon the Government has no basis what- er either in law or in fact," the ief contended.

George H. Armistead, Jr., and Wil- am Waller, Crescent attorneys, said ey would also file soon a reply brief the Government's brief, as would

(Continued on page 10)

Kanin Urges Films Be Contemporary

Declaring that films are "doomed they insist on producing only enter- tainment," Garson Kanin, director, ow with the Office of Emergency Management, told the annual confer- nce of the National Board of Review ere on Friday that the "producers efuse to be aware of the crisis and ontinue to release the same type of lm they were making five years go."

An informed public is the best as-

(Continued on page 3)

Quigley Discusses Film Contribution to Democratic Ideal

PHILADELPHIA, Nov. 16.—The contribution of wholesome public entertainment to the ideal of democracy was discussed here yesterday by Martin Quigley in an address to a session of the Seventh National Catechetical Congress devoted to the subject of motion pictures.

The presiding officer of the session was Most Rev. John T. McNicholas, Archbishop of Cincinnati and head of the Legion of Decency.

"The ideal of democracy based on the concept of the dignity of man and the subordination of the state to man's natural and supernatural purposes demands strict and unswerving maintenance of right moral standards in public entertainment," said Mr. Quigley.

"Wholesome entertainment ennobles

(Continued on page 6)

Republic Will Have Own S.A. Exchanges

HOLLYWOOD, Nov. 16. — Republic plans to set up its own exchanges in Latin America instead of as present doing business through independent agencies, the company announced here. The exchanges will be under the supervision of Morris Goodman, foreign sales manager.

Offices have already been opened in Santiago, Chile, and Panama City, and in the next two months headquarters will be opened in Rio de Janeiro, Buenos Aires, Lima, Havana and Mexico City, it was announced.

Wanger and 'U' Talk Deal for One Film

Walter Wanger and Universal Pictures officials have been discussing the possibility of his making a picture for Universal release. It has been learned that should the parties succeed in concluding an arrangement, it will concern the contemplated film, "Eagle Squadron," which Wanger has been intending to make in England. Wanger, it is further reported, will remain in New York until this transaction with Universal becomes definitive.

'It's a Rumor,' Says Masters of Report He'll Be Odeon Chief

TORONTO, Nov. 16.—Haskell Masters dismissed reports that he was considering an offer to become general manager of Odeon Circuit as a "rumor." Local film circles, however, persist in the belief that such an offer has been made to the United Artists Western and Canadian general sales manager.

Masters left for New York by plane on Friday after a brief visit here on what he described as United Artists affairs.

Meanwhile, H. T. Long of this city, acting general manager of Odeon, is in Vancouver supervising the expan-

(Continued on page 3)

Miami Sees Record Season; Theatres Reopening Early

MIAMI, Nov. 16.—Anticipating a record-breaking Winter resort season, theatres in Miami and Miami Beach that have been closed for the Summer are reopening earlier than ever before, in the wake of extensive remodeling programs undertaken to provide additional and more attractive accommodations.

The Mayfair, of the Wometco circuit, has reopened after being closed all Summer.

The Gables, in suburban Coral Gables, has been completely remodeled at a cost of several thousand dollars and will open the last of this month. Dan Boone has been named manager.

A new marquee has been added to the exclusive Lincoln Theatre that ca-

(Continued on page 6)

Nazis Impose Ban On Network Talks

American network correspondents in Berlin have been banned from the air. These representatives reported to the networks here over the weekend that the reason given was that they complained to their New York offices about censorship of their talks without first consulting the Reich's Broadcasting Company.

Officials here stated that Alex Dreier, NBC correspondent, had been banned before he complained. Meanwhile, representatives of other networks complained and the total ban resulted.

Loew's Decides Today on Minn. Decree Escape

Warners, RKO, 20th-Fox Granted Exemption

Loew's is considering an application to the U. S. District Court for exemption from provisions of the industry consent decree to permit it to sell in Minnesota under terms of the State anti-block-of-five law, company officials stated. A decision on the matter is expected to be made today.

Federal Judge Henry W. Goddard on Friday authorized Warners, RKO

Minneapolis, Nov. 16.—Northwest Allied, hailing as "wonderful news" the court permission for three more majors to resume selling here, called a directors' meeting for tomorrow to study the product situation. Officials said the new exemptions would prevent the closing of many houses, and some already closed could now reopen.

and 20th Century-Fox to proceed with selling in Minnesota without complying with the block-of-five and trade

(Continued on page 6)

Bail Denied, U. S. to Quiz Browne, Bioff

Denied bail Friday by the U. S. Circuit Court of Appeals, William Bioff and George E. Browne will be required to appear in the U. S. District Court this morning for examination concerning their property and ability to pay the $20,000 fines levied on each.

Federal Judge Henry W. Goddard on Friday signed an order requiring

(Continued on page 6)

Theatre Damaged In Coast Quake

Los Angeles, Nov. 16.—The Torrance Theatre at Torrance was closed by authorities for inspection following partial collapse of the wall during the earthquake Thursday midnight. No other theatre damage was reported.

Jane Cowl Play to Open Here Tonight

"Ring Around Elizabeth," starring Jane Cowl, opens tonight at the Playhouse. Allen Boretz and William Schorr produced in association with Alfred Bloomingdale. Schorr also directed. Chari Armstrong is the author. Others in the cast are McKay Morris, Diantha Pattison, Herbert Yost and Lea Penman.

Five Quebec Theatres Fined on Child Law

MONTREAL, Nov. 16.—Five suburban exhibitors here were fined $10 and costs yesterday by Judge Archambault after pleading guilty to admitting children under 16 years. The Attorney General of Quebec recently ordered a stop to violation of the children's law.

Those fined were Albert Duclos of Longeuil; Louis Rosenbloom, Lachine; W. H. Wright, Rialto, Montreal; N. E. Savard, Rivoli, Montreal, and the Astor, St. Lambert.

Three others pleaded not guilty and their trial was set for Nov. 22.

Arthur Is Renamed St. Louis Club Head

ST. LOUIS, Nov. 16.—Harry C. Arthur, Jr., has been reelected chief barker of the local Variety Club. Louis K. Ansell was named first assistant chief barker; George Wiegand, second assistant; Edward L. Murphy, dough guy, and Ray Nolan, property master.

Canvasmen are: Fred Wehrenberg, Herbert Washburn, Alvin Wolff, Sam Shucart, Clarence M. Turley and Clarence D. Hill. Ansell is national canvasman.

Zabin Is Trustee Of Ethical Culture

James B. Zabin of Buchanan & Co., advertising agency, has been elected to the board of trustees of the New York Society for Ethical Culture.

Personal Mention

LOU WEINBERG, Columbia sales executive, and MRS. WEINBERG, attended a surprise birthday party for their son, ARTHUR, Yale senior, at the Hotel Taft, New Haven, Saturday night. HARRY SHAW, Loew-Poli division manager, and MRS. SHAW attended.

•

JULES BRULATOUR and his wife, HOPE HAMPTON, attended the wedding in Rochester of JEAN HATGRAVE, daughter of THOMAS J. HARGRAVE, Eastman Kodak president, and MRS. HARGRAVE.

•

WILLIAM K. SAXTON, Loew's city manager in Baltimore, is confined to his home with a minor illness.

•

LARRY SCHANBERGER, owner of Keith's, Baltimore, will spend the Thanksgiving holiday in Atlantic City.

•

CHARLES STEPHENSON, veteran exhibitor, has retired as manager of the Century at Kitchener, Ont.

•

ROBERT GOTTLIEB, son of DOROTHY GOTTLIEB of Tri-States Theatres, Des Moines, and HARRY GOTTLIEB, 20th Century-Fox salesman there, is home on furlough from the Army.

J. M. SHEPHERD, manager of the Lincoln Theatre, Miami Beach, has returned to his post after an air tour of the United States and Canada, flying his own plane.

•

MR. and MRS. LOUIS SCHINE of Gloversville, N. Y., visited their son, DONALD, Yale freshman, on Saturday, and attended the Yale-Princeton game.

•

WALTER SHOTT, manager of the Majestic Theatre, Columbus, has been drafted. LOUIS HOLLEB has replaced him temporarily.

•

W. R. HAWKINSON, Latin American division manager for RKO, will leave Friday by plane for a tour of South America. He will be gone about two months.

•

ISADORE RAPPAPORT, owner of the Hippodrome, Baltimore, spent the weekend here.

•

H. B. ALLINSMITH, assistant general foreign manager of Western Electric Export Corp., is on an air trip through Latin America. H. E. MACFARLAND, Brazil manager, will return here later this month. ALLINSMITH is due back next April.

Lasky Assigned to Scout Film for W.B.

Hal B. Wallis, associate executive in charge of Warner Bros. production, has assigned Jesse L. Lasky to produce a film based on the history and work of the Boy Scouts of America, it was announced yesterday by Jack L. Warner.

Party for Warner Shorts

A press preview and cocktail party will be given by Warners at Fefe's Monte Carlo Dec. 2 for "The Gay Parisian" and "Spanish Fiesta," short subjects featuring the Ballet Russe de Monte Carlo.

Para. Partners in Meeting on Coast

HOLLYWOOD, Nov. 16.—Sam Dembow, Jr., is expected here tomorrow to confer with E. V. Richards, A. H. Blank and Bob O'Donnell on the "Salute to Y. Frank Freeman," national theatre drive, and to discuss plans for a dinner to the drive winners to be held in Los Angeles late in January. Dembow will also inspect remodeling work on the former El Capitan Theatre which is scheduled to be opened soon as the Paramount Hollywood Theatre.

'Valley' Showing to Be Held on Friday

Trade showings of "How Green Was My Valley" have been set for next Friday, in all 20th Century-Fox exchanges except New York, where the picture has already been shown. The showings will take place at 10 A.M. and 2 P.M.

NOTICE OF

20TH CENTURY-FOX TRADE SHOWING

for the benefit of exhibitors generally

CORRECTION

NEW YORK, N. Y.

The trade showing of . . . . . "HOW GREEN WAS MY VALLEY" (20th-Fox) at the 20th Century-Fox Exchange, 345 W. 44th St., announced for Nov. 21, 10 A.M. and 2 P.M., *has been cancelled.* This notice affects New York only and corrects the listing which appeared in Motion Picture Herald, issue of November 15th.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Special Matinee Thanksgiving Day

"A GREAT SHOW"—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the
Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats. Thurs., Fri., Sat. & Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Mexican Studios Being Modernized

Mexico City, Nov. 16.—As part of their plans for quantity and quality production, studios here are going modern, with 1941 installations. CLASA, the largest local studio, has just put into service a camera crane. All the studios are scrapping old equipment and putting in new. This phase of the improvements program is being carried out as rapidly as funds for the purpose are available.

GTE Officials' Pay Disclosed by SEC

Salaries of General Theatres Equipment Corp. executives have been disclosed by the Securities and Exchange Commission, as contained in an amendment to the company's 1940 report.

The SEC was informed that Earle G. Hines, president, was paid $40,630 in salary and fees by the company and subsidiaries; W. E. Green, president of subdiary companies, $24,280, and J. E. McAuley, president of an affiliate, $16,300.

The report stated Hines was granted options to purchase 3,000 shares of stock each year for the next five years at prices ranging from $16 the first year to $20 a share in the fifth year.

Carol Bruce Feted by Abbott and Costello

Bud Abbott and Lou Costello gave a birthday party for Carol Bruce at the Hotel Astor on Friday. Among those present were Nate Blumberg, J. Cheever Cowdin, Charles Prutzman, W. A. Scully, Colvin Brown, Sam Shain, Terry Ramsaye, William German, Matthew Fox, Joseph Seidelman, Clair Hague, Paul Nathanson, F. J. A. McCarthy, Lou Pollock, James Dunn, E. L. McEvoy, C. R. Kirby, Tom Mead, Adolph Schimel, Hank Linet, Arthur Lubin, J. J. Jordan, F. T. Murray, Anthony Petti, Jack Alicoate and Jules Lapidus.

Lester Cohen to Trinidad

Lester Cohen has been named Warner manager in Trinidad, it was announced by Robert Schless, foreign department manager, on Friday.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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York' Holds Chicago Pace With $30,000

CHICAGO, Nov. 16.—"Sergeant York" continued to lead the State-Lake Theatre with $30,000 in its second week. The Oriental did $16,500 playing "Mob Town" and a stage show. The Palace took $15,500 with "It Started With Eve" and "Burma Convoy."

Estimated receipts for the week ending Nov. 6:

"Hold Back the Dawn" (Para.)
APOLLO—(1,400) (30c-40c-59c) 7 days. Gross: $6,500. (Average, $5,000)
"Navy Blues" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Artie Shaw's Band. Gross: $33,500. (Average, $32,000)
"Nothing but the Truth" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)
"Mob Town" (Univ.)
ORIENTAL—(3,200) (25c-35c-40c-50c) 7 days. Stage: Milt Britton's Band. Gross: $16,500. (Average, $9,000)
"The Little Foxes" (RKO)
"Mexican's Spitfire's Baby" (RKO) 1 day, 4th week.
"It Started With Eve" (Univ.)
"Burma Convoy" (Univ.) 5 days.
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $15,500. (Average, $13,000)
"The Feminine Touch" (M-G-M)
"Buy Me That Town" (Para.) 5 days
"The Married Bachelor" (M-G-M)
"Down in San Diego" (M-G-M) 2 days
ROOSEVELT—(1,500) (30c-40c-59c) 7 days. Gross: $13,500. (Average, $11,000)
"Sergeant York" (W. B.)
STATE-LAKE—(3,700) (40c-44c-55c-75c) 7 days, 2nd week. Gross: $30,000. (Average, $14,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M) 1 day, 4th week
"Lydia" (U. A.) 6 days
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days. Gross: $13,500. (Average, $14,000)

'Kildare,' Tucker $12,200, Milwaukee

MILWAUKEE, Nov. 16.—The week's best grosser was Orrin Tucker's band and the film, "Dr. Kildare's Wedding Day" with $12,200 at Fox's Wisconsin. The Jumbo Circus Revue and "Tanks a Million" collected $10,400 at the Riverside.

Estimated receipts for the week ending Nov. 5-6:

"Honky Tonk" (M-G-M)
"The Feminine Touch" (M-G-M)
PALACE—(33c-44c-55c) 6 days, 3rd week. Gross: $4,000. (Average, $4,000)
"A Yank in the R. A. F." (20th-Fox)
"You'll Never Get Rich" (Col.)
STRAND — (44c-66c) 6 days, 2nd week. Gross: $1,500. (Average, $1,500)
"Sundown" (U. A.)
"Nine Lives Are Not Enough" (W. B.)
WARNER—(30c-40c-55c) 7 days. Gross: $5,800. (Average, $4,500)
"Tanks a Million" (U. A.)
RIVERSIDE—(30c-40c-50c) 7 days. Stage: Jumbo Circus Revue. Gross: $10,400. (Average, $6,500)
"Dr. Kildare's Wedding Day" (M-G-M)
WISCONSIN—(33c-44c-55c) 7 days. Stage: Orrin Tucker. Gross: $12,200. (Average, $5,500)

Kanin Urges Films Be Contemporary

(*Continued from page 1*)

surance of American safety, he said. He urged production of films reflecting contemporary American thought.

Election as president of the group of Quincy Howe, Simon & Schuster executive and commentator on WQXR, was announced Saturday at a luncheon at the Hotel Pennsylvania concluding the three-day conference.

Morris Ernst and Howe spoke. Three hundred attended.

Reviews

"Cadet Girl"

(20th Century-Fox)

SEVERAL good songs pleasantly sung plus some good acting and a passable story, put this film at the top of its class. Sol M. Wurtzel, executive producer, gave the picture plenty of production values and Ray McCarey's direction kept the acting moving and worked in the music naturally.

Carole Landis carries out well her singing and acting assignments and George Montgomery fits the popular notion of what a West Point cadet should be. John Shepperd gives a fine supporting performance as the older brother. The cast also includes William Tracy, Janis Carter, who sings one song. Robert Lowery, Basil Walker, Charles Tannen, Chick Chandler and others.

There is nothing very new or novel about the story. A West Point cadet while on Summer vacation falls in love with the singer in his brother's orchestra. The brother wants the boy to return to the academy to fulfill their father's ambition. Miss Landis, the singer, decides she will marry the cadet at the end of his vacaiton, meanwhile singing in an orchestra he starts. Finally at a special Army camp show she realizes that he should return to West Point and not marry her. The boy is inspired to go back by a song which his brother sings, "Uncle Sam Gets Around."

Other songs by Leo Robins and Ralph Rainger included in the picture are "My Old Man Was An Army Man," "I'll Settle For You," "It Happened, It's Over, Let's Forget," and "She a Good Neighbor." Several of the numbers may be expected to be popular.

Running time, 69 minutes. "G"* M. Q., JR.

"Marry the Boss's Daughter"

(20th Century-Fox)

CUED by the remark of Prof. Robert E. Rogers of the Massachusetts Institute of Technology that "the only way for a young man to get ahead these days is to marry the boss's daughter," Thornton Freeland, who directed, has whipped together a light little comedy on just that theme.

Brenda Joyce, Bruce Edwards, George Barbier and Hardie Albright give entirely satisfactory performances but their effectiveness is limited by a thin plot. Briefly, the story is of a young man (Edwards) who gets his big chance when he returns a lost dog to Miss Joyce. She gets him a job with her father's firm but the young man takes his work too seriously and the boss's daughter not seriously enough. Eventually he learns better, marries the aforesaid daughter and becomes a vice-president.

Running time, 60 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

'Falcon' and Show $17,600 in Capital

WASHINGTON, Nov. 16. — "The Maltese Falcon" and vaudeville at Warners' Earle drew $17,600. "A Yank in the R.A.F." at Loew's Palace took $17,000. The weather was excellent but there was considerable competion.

Estimated receipts for the week ending Nov. 5-6:

"Unholy Partners" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Gaudsmith Bros., Harry Stevens, Billy Wells & Four Fays, Rhythm Rockets. Gross: $14,000. (Average, $15,500)
"Unfinished Business" (Univ.)
RKO-KEITH'S—(1,834) (40c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $8,000)
"The Maltese Falcon" (W. B.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Mimic Men, Gil Maison, Hermanos Williams Trio, Roxyettes. Gross: $17,600. (Average, $15,000)
"The Feminine Touch" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,000. (Average, $3,500)
"Hold Back the Dawn" (Para.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $6,300. (Average, $4,000)
"A Yank in the R.A.F." (20th-Fox)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $17,000. (Average, $15,000)

'Love' Accounts for $14,000 in Baltimore

BALTIMORE, Nov. 16.—Business was strong for the week. "Appointment For Love" took $14,000 at Keith's while "The Little Foxes" plus a stage show scored $16,000 at the Hippodrome.

Estimated receipts for the week ending Nov. 6:

"International Lady" (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $10,000. (Average, $10,000)
"Appointment for Love" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $14,000. (Average, $9,000)
"Week-end in Havana" (20th-Fox)
NEW — (1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $8,500. (Average, $7,000)
"Sergeant York" (W. B.)
STANLEY — (3,280) (15c-28c-39c-44c-55c) 7 days, 3rd week. Gross: $19,500. (Average, $12,000)
"The Little Foxes" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Vaudeville, including Ben Yost's New Yorkers; Jay and Lou Seiler; Bob DuPont and others. Gross: $16,000. (Average, $14,000)

Photophone Shifts Owens

James H. Owens, RCA Photophone salesman in Baltimore, has been transferred to the home office of the RCA Manufacturing Co. at Camden, to specialize in theatre screen sales.

'Battalion' and Show $26,500, Philadelphia

PHILADELPHIA, Nov. 16.—The Downtown theatres suffered a slump with the best business registered by the vaudeville houses. "Parachute Battalion" at the Earle, with a variety show on the stage, gave the house $26,500.

Estimated receipts for the week ended Nov. 4-7:

"Sergeant York" (W.B.)
ALDINE—(1,400) (46c-57c-75c) 7 days, 3rd week. Gross: $13,000. (Average, $9,000)
"Hold Back the Dawn" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $4,400. (Average, $2,600)
"One Foot in Heaven" (W.B.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $15,000. (Average, $13,000)
"Parachute Battalion" (RKO)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Dolly Dawn's orchestra. The Three Stooges, Nicholas Brothers, Four Mill Brothers, Frank Ross and the Play Boys. Gross: $26,500. (Average, $14,000)
"Man at Large" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Ann Corio's unit, Gae Foster Roxyettes and Billy Klaiss' orchestra. Gross: $8,400. (Average, $6,900)
"The Maltese Falcon" (W.B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $12,000. (Average, $13,000)
"Honky Tonk" (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $8,000. (Average, $3,000)
"Week-End in Havana" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,000. (Average, $4,500)
"The Feminine Touch" (M-G-M)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days. Gross: $12,500. (Average, $14,000)
"International Squadron" (W.B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $7,000. (Average, $4,500)

'Rich' Draws Big $22,000, Detroit

DETROIT, Nov. 16.—"You'll Never Get Rich" and "Ladies in Retirement" grossed $22,000 at the Fox.

Estimated receipts for the week ending Nov. 6:

"A Yank in the R.A.F." (20th-Fox)
"Sing Another Chorus" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $5,500)
"Shepherd of the Hills" (Para.)
"Pot O' Gold" (U.A.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"You'll Never Get Rich" (Col.)
"Ladies in Retirement" (Col.)
FOX — (5,000) (20c-44c-55c-65c) 7 days. Gross: $22,000. (Average, $15,000)
"New York Town" (Para.)
"Barnacle Bill" (M-G-M)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,000. (Average, $12,000)
"Navy Blues" (W.B.)
"My Life With Caroline" (RKO)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $10,000)

Masters on Odeon Report: 'It's Rumor'

(*Continued from page 1*)

sion of the circuit on the Pacific Coast, and may remain there permanently.

Paul Nathanson, head of Odeon, who was in New York over the week-end, declined to comment on the report concerning Masters.

"Ask Masters," he said.

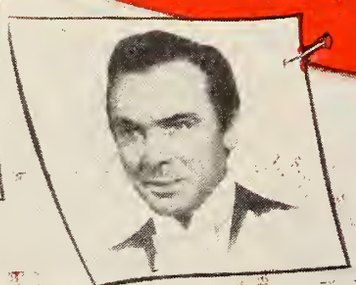
THE LIFE AND LOVES OF A



Loretta

THE MEN IN







with

CONRAD VEIDT ★

JOHN SHEPPERD ★ OTTO KRUG

BASED ON A NOVEL BY LADY ELEANOR SMITH • SCREEN PLAY BY FREDERICK KOHNER, MICHAEL WILS

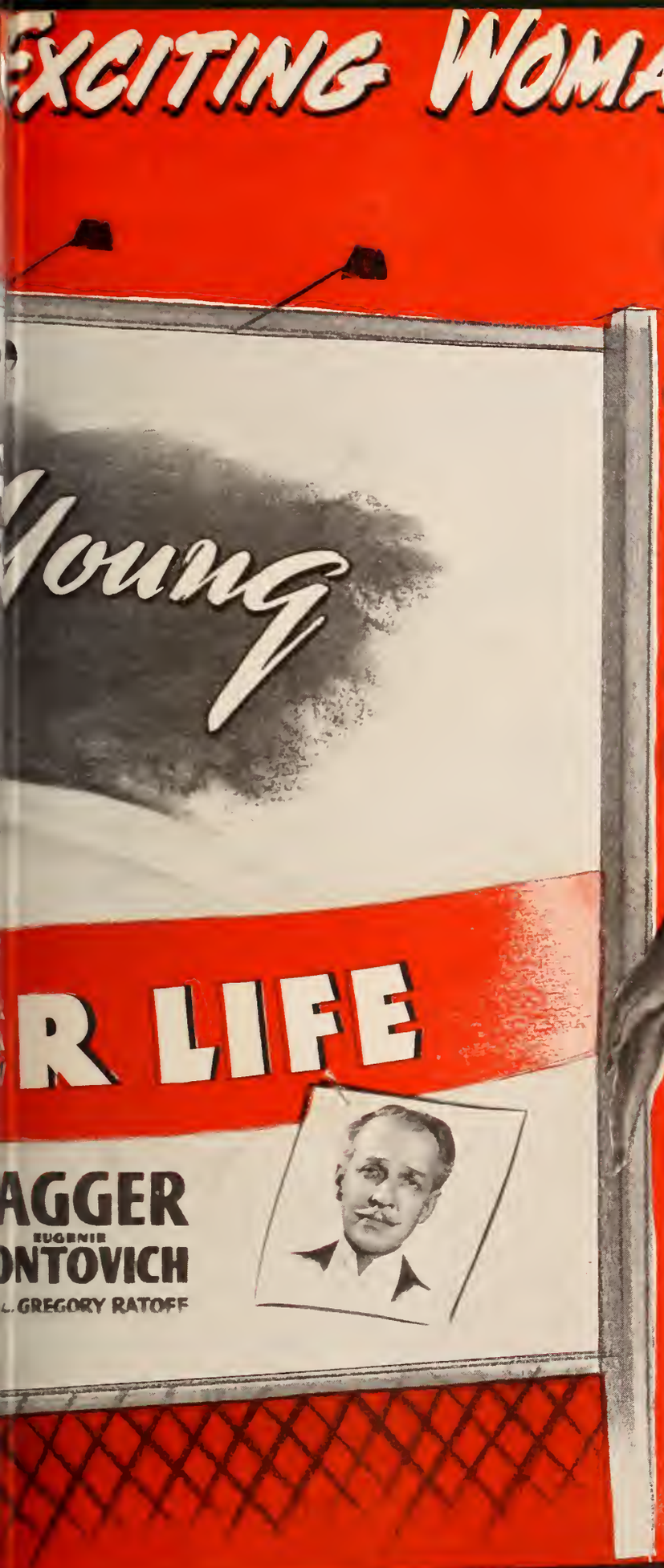
A GREGORY RATOFF Production

A COLUMBIA PICTURE

USE THIS STRIKIN

COLUMBIA PICTURES

EXCITING WOMAN!



» » » The story of the irresistible Lina . . . who loved dangerously and paid the price! Her story may shock most men . . . but every woman will understand it . . . and every showman will hail it!

24 SHEET IN FULL COLOR!

Loew's Decides Today on Minn. Decree Escape

(*Continued from page* 1)

show provisions of the decree, after hearings on those companies' applications.

Loew's is the only company of the six affected by the Minnesota law not to seek exemption to date. Paramount and United Artists resumed selling in Minnesota two weeks ago.

Judge Goddard also upheld the validity of a three-year franchise made by 20th Century-Fox and the Sudekum Circuit of Nashville. The deal involves 100 Crescent Amusement Co. theatres and, although it was not formally signed, according to the Government's contention, until after June 6, 1940, the decree deadline for such deals, the distributor produced deal sheets to show that preliminary agreements had been reached prior to that date.

Seymour Simon, special assistant to the U. S. Attorney General, opposed the validity of the franchise under the decree. A stipulation therefore was entered permitting the Government to appeal from Judge Goddard's decision at any time within the next six months. The same procedure was followed several weeks ago when Judge Goddard approved a similar franchise deal between Loew's and the Mullin & Pinanski Circuit of Boston.

Government Consents

Simon consented for the Government to the release of Warners, RKO and 20th Century-Fox from the decree provisions which are in conflict with the Minnesota law, but opposed a further release sought by 20th Century-Fox from Section 7, which permits exhibitors to cancel films on religious or moral grounds. The distributor contended that the section should not apply in view of the 20 per cent cancellation given exhibitors under the Minnesota law.

The court concurred with the Government in opposing this phase of the 20th Century-Fox application and denied the request without prejudice to its renewal in the event it appears necessary later.

Kalmenson 'Happy'

Benjamin Kalmenson, general sales manager of Warner Bros., in a statement issued on Friday said he was happy over the order of the court and glad that the company will again be able to sell in Minnesota.

Settle Arkansas Theatre Complaint

The some run complaint filed by the Cotton Boll Theatre, Lepento, Ark., has been withdrawn at the Memphis arbitration board following a settlement, American Arbitration Association headquarters here reported Saturday.

The complaint named Paramount, RKO, 20th Century-Fox and Warners, and the Strand at Lepento.

New Hartford Critic

HARTFORD, Nov. 16.—Charles Niles is new dramatic and film editor of the Hartford *Times,* succeeding Julian Tuthill.

Review

"Rise and Shine"

(20th Century-Fox)

A SPRIGHTLY, lively and tuneful comedy with music is "Rise and Shine," a burlesque on the big and powerful, but extremely stupid football hero with the unpronounceable name.

Based on the book by James Thurber, "My Life and Hard Times," the film was produced by Mark Hellinger and directed by Allan Dwan, with "singable" lyrics and music by Leon Robin and Ralph Rainger. It has been given an elaborate and well-mounted production, technically all that is required, and features a handful of names, which with its timely football theme, should supply the exhibitor with considerable material for exploitation.

Jack Oakie plays the big, extremely sleepy, and amazingly stupid Clayton football hero, with the support including George Murphy, Linda Darnell, Walter Brennan, Milton Berle, Donald Meek, Ruth Donnelly, Raymond Walburn and Sheldon Leonard. The latter is the big-time gambler who sends Murphy, orchestra leader and ex-football star, down to Clayton to keep his eye on Oakie, who is responsible for Clayton's victories, and hence responsible for Leonard's winnings.

Miss Darnell is the feminine Clayton cheer-leader, and daughter of Meek, professor in whose home Oakie stays so that he may have both rest and an opportunity for study. Murphy falls in love with her, while Grandpa Brennan of the eccentric household makes a "play" for Miss Donnelly, part of Murphy's entourage under Leonard's orders. When Leonard tries to get Oakie out of the way, to cross his bets, Murphy gets him back in time to win the game in an amusing finish.

Running time, 92 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Quigley Discusses Film Contribution to Democratic Ideal

(*Continued from page* 1)

and strengthens a people. Vicious entertainment corrupts and weakens. People who give themselves to diversions which violate decency, honor and morality are in danger of losing even their national power. Entertainment based on right moral standards constitutes a bulwark of democracy.

"The organized motion picture industry in the United States has recognized the existence of the moral influence of the film and has accepted the attendant responsibility. There is to be found in that record an attitude and an accomplishment that is unique in the history of business.

"When in 1930 the industry entered upon a systematic program of maintaining right moral standards in its entertainment, it was the first time in the age-old history of theatrical entertainment that any such responsibility was so recognized and so provided for.

"The goal of good motion pictures —good in moral character and good in entertainment value—is not easily obtainable. It can be reached by no simple fiat despite much that has been said to the contrary. Good pictures must be supported, because if good pictures are not supported they will not be made. Alongside of the political axiom that a people get the kind of government it deserves, it may also be stated that a people get the kind of public entertainment it deserves."

Columbia Film at Roxy

"You Belong to Me," Columbia picture costarring Barbara Stanwyck and Henry Fonda, has been booked by the Roxy Theatre on Broadway to follow "Week-End in Havana," now playing.

Training Films Are Shown in England

LONDON, Nov. 16.—The directors of the Army Kinematograph Committee have privately previewed three Army instructional films, made by trade units but sponsored by the Army Council. Observers declared all were of high quality.

The Army film unit, it was stated, already has produced 45 films and another 65 are in production by industry units. The Cinematograph Exhibitors Association has agreed to provide theatres for the showing of instructional films for the Army as well as civil defense groups.

It was announced the Cinematograph Exhibitors Association has accepted the invitation of the Army Council to select members to serve on the new film committee, and has suggested the delegates already appointed to the existing Army films committee, which has not met as yet.

The Kinematograph Renters Society decided last week not to appoint delegates, contending the existing committee and other collaboration by distributors is adequate.

Kennedy Manager Of Sovereign Films

TORONTO, Nov. 16.—Walter J. Kennedy, veteran official of Empire-Universal Films, Ltd., has been appointed general manager of Sovereign Film Distributors, Ltd., succeeding James Foy, who resigned Nov. 1 to become associated with Oscar Hanson's new company here. Empire-Universal and Sovereign are Nathanson companies.

Fisher Gets Ad Post

CLEVELAND, Nov. 16.—Ed Fisher, press representative for United Artists, has been named publicity and advertising director for Loew's here. He succeeds James Harris, who leaves to become a flying instructor at Randolph Field, Tex.

State to Air Trust Charge In Neb. Soon

(*Continued from page* 1)

Blank-Green Admiral Theatre, a new house scheduled to open shortly.

The state's bill of complaint charges that the distributors have agreed to accept higher film terms from Goldberg, in return for which the Epstein houses, which formerly played day and date with Goldberg's, will be relegated to a playing position after the Goldberg houses, as will the Admiral. The latter is a neighborhood house operated by the Blank Omaha interests, and the first new theatre to be built here in 15 years.

The equity action seeks an injunction to restrain the contemplated film deals and clearance revisions. It is charged that the Goldberg houses already have raised admissions from 30 to 35 cents as a part of the alleged conspiracy.

The state's action is in direct conflict with an anti-trust suit filed by Goldberg charging the major distributors with a similar conspiracy with the Blank theatres against Goldberg. The Blank interests are affiliated with Paramount, which is one of the distributors charged by the state with conspiring with Goldberg against Blank's new Admiral.

Bail Denied, U. S. to Quiz Browne, Bioff

(*Continued from page* 1)

the U. S. Marshal to produce both men in court for the examination. They will be sworn in open court, but their examination by Assistant U. S. Attorney Martin Klein will be private.

Following the denial of bail there was some speculation in courtroom circles whether the convicted men would elect to remain in the Federal House of Detention here or be sent to the penitentiary. They have the right to remain here until their appeals are decided, but they will receive no credit for time served unless they go to the penitentiary.

In opposing bail, U. S. Attorney Mathias F. Correa declared that no amount of bail would keep the men within the jurisdiction. He said that Browne's $50,000 bail before trial had been furnished by the Chicago operators' union, Local 110, but he has been unable to learn who furnished Bioff's bond.

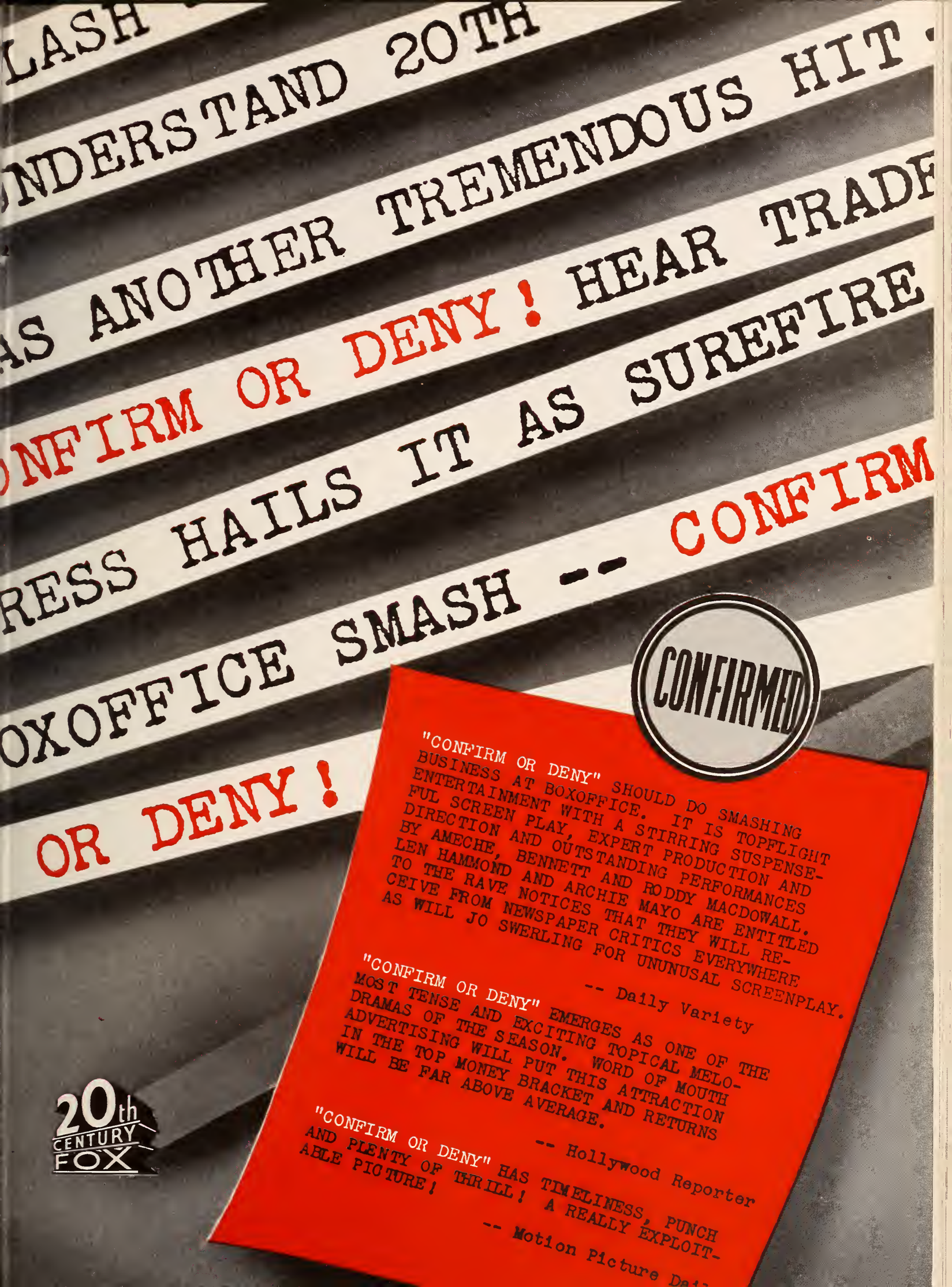
Miami Sees Record, Houses Open Early

(*Continued from page* 1)

ters to patronage along Miami Beach's famous Lincoln Road, at a cost of $10,000.

Opening date for the Sheridan theatre in Miami Beach, will be Thanksgiving day, with Irwin Waite as manager.

The Surf theatre, of the Wometco enterprises, located in the north end of Miami Beach, will open early in December.


LASH
NDERSTAND 20TH
AS ANOTHER TREMENDOUS HIT
ONFIRM OR DENY! HEAR TRADE
RESS HAILS IT AS SUREFIRE
OXOFFICE SMASH -- CONFIRM
OR DENY!
CONFIRMED
"CONFIRM OR DENY" SHOULD DO SMASHING BUSINESS AT BOXOFFICE. IT IS TOPFLIGHT ENTERTAINMENT WITH A STIRRING SUSPENSEFUL SCREEN PLAY, EXPERT PRODUCTION AND DIRECTION AND OUTSTANDING PERFORMANCES BY AMECHE, BENNETT AND RODDY MACDOWALL. LEN HAMMOND AND ARCHIE MAYO ARE ENTITLED TO THE RAVE NOTICES THAT THEY WILL RECEIVE FROM NEWSPAPER CRITICS EVERYWHERE AS WILL JO SWERLING FOR UNUNUSAL SCREENPLAY.
-- Daily Variety
"CONFIRM OR DENY" EMERGES AS ONE OF THE MOST TENSE AND EXCITING TOPICAL MELODRAMAS OF THE SEASON. WORD OF MOUTH ADVERTISING WILL PUT THIS ATTRACTION IN THE TOP MONEY BRACKET AND RETURNS WILL BE FAR ABOVE AVERAGE.
-- Hollywood Reporter
"CONFIRM OR DENY" HAS TIMELINESS, PUNCH AND PLENTY OF THRILL! A REALLY EXPLOITABLE PICTURE!
-- Motion Picture Dail
20th CENTURY FOX

'Truth' Pulls $18,500, Best Frisco Gross

SAN FRANCISCO, Nov. 16.—"Nothing But the Truth" at the Fox drew a big $18,500. "Sergeant York" took $13,800 in the third week at the Warfield.

Estimated receipts for the week ending Nov. 6:

"All That Money Can Buy" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days. Stage: vaudeville. Gross: $13,900. (Average, $15,000)
"Appointment for Love" (Univ.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days. Gross: $9,200. (Average, $7,500)
"Unfinished Business" (Univ.)
"Moonlight in Hawaii" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,500. (Average, $8,000)
"Unholy Partners" (M-G-M)
"Ice-Capades" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,500. (Average, $11,500)
"Nothing But the Truth" (Para.)
"Nine Lives Are Not Enough" (W. B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $18,500. (Average, $16,000)
"Honky-Tonk" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 6th week. Gross: $4,600. (Average, $4,500)
"The Stars Look Down" (M-G-M)
CLAY—(400) (15c-35c-45c) 7 days, 3rd week. Gross: $1,000. (Average, $1,000)
"Sergeant York" (W. B.)
WARFIELD—(2,680) (25c-50c-65c) 7 days. 3rd week. Gross: $13,800. (Average, $12,000)

'Swamp Water' Hits $17,500 in St. Louis

ST. LOUIS, Nov. 16. — Overcoming inclement weather that included several days of continual rain, the Fox chalked up most impressive business in weeks with "Swamp Water," and "Great Guns," taking $17,500.

Estimated receipts for week ending Nov. 6:

"Lydia" (U. A.)
"Dr. Kildare's Wedding Day" (M-G-M)
LOEW'S—(3,162) (30c-40c-44c-56c) 7 days. Gross: 1$2,500. (Average, $13,000)
"Appointment For Love" (Univ.)
"Swing It Soldier" (Univ.)
AMBASSADOR—(3,018) (30c-40c-50c) 7 days. Gross: $9,500. (Average, $11,500)
"Swamp Water" (20th-Fox)
"Great Guns" (20th-Fox)
FOX—(5,039) (30c-40c-50c) 7 days. Gross: $17,500. (Average, $11,000)
"It Started With Eve" (Univ.)
"Unfinished Business" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $4,700. (Average, $4,000)
"Navy Blues" (W.B.)
"Gay Falcon" (W.B.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $4,200. (Average, $2,600)

'Foxes' Gets $7,800 Indianapolis Gross

INDIANAPOLIS, Nov. 16.—"The Little Foxes" and "Parachute Battalion" took $7,800 at the Indiana. "Sergeant York" in the third week at the Circle was good for $7,600. The weather was chilly.

Estimated receipts for the week ending Nov. 7:

"Sergeant York" (W.B.)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 3rd week. Gross: $7,600. (Average, $6,500)
"The Little Foxes" (RKO)
"Parachute Battalion" (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,800. (Average, $7,000)
"Lydia" (U.A.)
"Texas" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $6,400. (Average, $8,000)
"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $4,000. (Average, $4,500)

'York' Providence Leader, $18,000

PROVIDENCE, Nov. 16. — "Sergeant York," playing the Majestic at advanced prices, pulled in $18,000. Business elsewhere was satisfactory.

Estimated receipts for the week ending Nov. 5-6:

"Unfinished Business" (Univ.)
"Burma Convoy" (Univ.)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $6,000)
"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,000. (Average, $11,000)
"Sergeant York" (W.B.)
MAJESTIC—(2,250) (44c-55c-65c) 7 days. Gross: $18,000. (Average, $7,000)
"Ladies in Retirement" (Col.) (5 days)
"Two Latins from Manhattan" (Col.) (5 days)
"Birth of the Blues" (Para.) (2 days)
"Mercy Island" (Rep.) (2 days)
STRAND — (2,200) (28c-39c-50c) Gross: $7,500. (Average, $6,000)
"Down Mexico Way" (Rep.)
FAY'S—(1,800) (20c-33c-44c) 7 days. Stage show with Rollo and Vernon Pickert; Ken Whitmer; Richard Lane and Puppet; Keith Clarke; Ritter Brothers; Eleanor Bowers; Barbara Belmore. Gross: $5,860. (Average, $5,000)
"Emergency Landing" (P.R.C.)
METROPOLITAN — (3,045) (30c-39c-55c-75c) 3 days. Stage show with Charlie Barnet and Orchestra; Ford Leary and Hazel Bruce; Tito Guizar; Think-a-Drink Hoffman; Wilkey and Dare; and the Marten Brothers and Fayne. Gross: $7,100. (Average, $5,000)
"Weekend in Havana" (20th-Fox)
"Men At Large" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,400. (Average, $3,500)
"Dr. Jekyll and Mr. Hyde" (M-G-M) (3 days)
"Parachute Battalion" (RKO)
"You'll Never Get Rich" (Col.) (4 days)
"Bad Men of Missouri" (W.B.)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,800. (Average, $1,800)

'Heaven' Garners $6,200, New Haven

NEW HAVEN, Nov. 16.—"One Foot in Heaven," dualled with "Three Sons O'Guns" at the Roger Sherman, took $6,200.

Estimated receipts for the week ending Nov. 6:

"Ladies in Retirement" (Col.)
"Down in San Diego" (M-G-M)
COLLEGE — (1,499) (40c-50c) 7 days. Gross: $3,200. (Average, $2,700)
"Smilin' Through" (M-G-M)
"Tanks a Million" (U. A.)
LOEW-POLI—(3,040) (40c-50c) 7 days. Gross: $7,000. (Average, $8,000)
"Nothing But the Truth" (Para.)
"Flying Blind" (Para.)
PARAMOUNT—(2,348) (40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $4,500)
"One Foot in Heaven" (W. B.)
"Three Sons O' Guns" (W. B.)
ROGER SHERMAN—(2,200) (40c-50c) 7 days. Gross: $6,200. (Average, $5,000)

'Jekyll' Captures $9,000, Montreal

MONTREAL, Nov. 16.—Box-office receipts were strong here. "Dr. Jekyll and Mr. Hyde" at Loew's drew $9,000.

Estimated receipts for the week ending Nov. 6:

"Fantasia" (Disney)
HIS MAJESTY'S—(1,200) (43c-66c-88c) 7 days. Gross: $4,000.
"International Lady" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days. Gross: $4,200. (Average, $4,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
LOEW'S—(2,900) (35c-47c-67c) 7 days. Gross: $9,000. (Average, $7,000)
"Texas" (Col.)
"Two Latins From Manhattan" (Col.)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $4,000. (Average, $2,500)
"A Yank in the R. A. F." (20th-Fox)
PALACE—(2,200) (30c-45c-62c) 7 days. Gross: $7,000. (Average, $7,000)
"The Maltese Falcon" (W. B.)
"Law of the Tropics" (W. B.)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $7,000. (Average, $4,000)

Paper Restriction Hits British Houses

London, Nov. 16. — English film houses have been severely hit by new restrictions on the use of paper. The new ruling, in effect today, limits poster use to 10 for each film program. It is based on a demand for a reduction of 50 per cent from the amount currently used. Throwaways and other advertising media also will have to be seriously curtailed.

'Truth' Cincinnati Winner at $5,800

CINCINNATI, Nov. 16. — "Nothing But the Truth" collected $5,800 in its second downtown week at the RKO Grand, and "Mexican Spitfire's Baby' did $12,000 with the assistance of "Follies Bergere" at the RKO Shubert.

Estimated receipts for the week ending Nov. 5-8:

"Hold Back the Dawn" (Para.)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $12,000. (Average, $12,000)
"The Feminine Touch" (M-G-M)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $9,300. (Average, $10,000)
"Mexican Spitfire's Baby" (RKO)
RKO SHUBERT—(2,500) (33c-44c-60c) 7 days. Stage: "Follies Bergere." Gross: $12,000. (Average, $12,000)
"Sergeant York" (W. B.)
RKO CAPITOL—(2,000) (40c-50c-60c) 7 days, 6th week. Gross: $5,000. (Average, at 33c-40c-50c, $5,500)
"Nothing But the Truth" (Para.)
RKO GRAND — (1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $5,000)
"Honky Tonk" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 4th week. Gross: $2,800. (Average, $4,500)
"Three Sons O' Guns" (W. B.)
"Tonto Basin Outlaw" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Flying Blind" (Para.)
"We Go Fast" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)
"You'll Never Get Rich" (Col.)
KEITH'S — (1,500) (33c-40c-50c) 7 days, 2dn week. Gross: $3,600. (Average, $5,000)

'York' Is Buffalo Smash at $22,500

BUFFALO, Nov. 16. — "Sergeant York" was a hit at the Great Lakes with $22,500. "Honky Tonk" continued its draw at the Hippodrome with $9,100 in the third week.

Estimated receipts for the week ending Nov. 8:

"Smilin' Through" (M-G-M)
"Married Bachelor" (M-G-M)
BUFFALO—(3,489) (35c-55c) 7 days. Gross: $10,500. (Average, $12,000)
"Sergeant York" (W. B.)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $22,500. (Average, $7,500)
"Honky Tonk" (M-G-M)
HIPPODROME—(2,100) (35c-50c) 7 days, 3rd week. Gross: $9,100. (Average, $6,800)
"All That Money Can Buy" (RKO)
"Mexican Spitfire's Baby" (RKO)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Gross: $6,100. (Average, $7,500)
"You'll Never Get Rich" (Col.)
"Harmon of Michigan" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $6,100. (Average, $6,300)

Lift 'Village' Censor Ban

The State Board of Regents on Friday reversed the State Education Department's ban of "The Forgotten Village," John Steinbeck's film of Mexican folk life. The Regents rejected the recommendation of a subcommittee. The vote was described as "rather close."

'Rich' Scores $8,900, Best Seattle Gross

SEATTLE, Nov. 16.—"You'll Neve Get Rich" took a strong $8,900 at th Liberty. "Burma Convoy" at th Palomar, aided by a strong stag show, drew $5,800. The weather wa fair.

Estimated receipts for the wee ending Nov. 7:

"Nothing But the Truth" (Para.)
"Henry Aldrich for President" (Para.)
BLUE MOUSE—(950) (30c-40c-58c) days, 5th week. Moved from Paramount Gross: $3,300. (Average, $4,000)
"Week-End in Havana" (20th-Fox)
"Lady Scarface" (RKO)
FIFTH AVENUE—(2,500) (30c-40c-58c 70c) 7 days. Gross: $7,200. (Average, $7,000
"You'll Never Get Rich" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) days. Gross: $8,900. (Average, $5,000)
"A Yank in the R.A.F." (20-Fox)
MUSIC BOX—(950) (30c-40c-58c) 7 days 4th week. Moved from Fifth Avenue Gross: $3,500. (Average, $4,000)
"Sergeant York" (W.B.)
ORPHEUM—(2,450) (30c-45c-65c) 7 days 3rd week. Gross: $6,200. (Average, $6,000
"Burma Convoy" (Univ.)
PALOMAR—(1,500) (20c-42c-50c) 7 days Stage: "Revue Copacobana." Gross: $5,800 (Average, $5,000)
"Honky Tonk" (M-G-M)
PARAMOUNT—(3,050) (30c-42c-58c) days, 2nd week. Gross: $6,300. (Average $6,000)

'Kane' Tallies Big $13,000, Toronto

TORONTO, Nov. 16.—"Citizen Kane" swept to $13,000 at Shea's Theatre while "Target for Tonight" at th Imperial grossed $11,800.

Estimated receipts for the wee ending Nov. 8:

"The Maltese Falcon" (W. B.)
EGLINTON—(1,086) (18c-30c-48c-60c) days, 2nd week. Gross: $4,200. (Average $4,500)
"Target For Tonight" (W.B.)
"New York Town" (Para.)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c 6 days. Gross: $11,800. (Average, $9,000)
"Lady Be Good" (M-G-M)
'Down in San Diego" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) days. Gross: $11,200. (Average, $9,
"Citizen Kane" (RKO)
SHEA'S—(2,480) (18c-30c-42c-60c-90c) days. Gross: $13,000. (Average, $9,000)
"Navy Blues" (W. B.)
"Bullets for O'Hara" (W. B.)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days Gross: $3,500. (Average, $3,900)
"The Stars Look Down" (Empire)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) days. Gross: $9,500. (Average, $9,000)

'Navy Blues,' Show $21,000, Cleveland

CLEVELAND, Nov. 16.—"Navy Blues' gave the RKO Palace a smash $21,0 with "Hollywood Sweater Girls Revue" as the stage attraction.

Estimated receipts for the wee ending Nov. 6-7:

"Sergeant York" (W. B.)
ALLEN—(3,000) (44c-50c-60c) 7 days, 5t week. Gross: $7,500. (Average at 33c-39c-47c: $4,000)
"You'll Never Get Rich" (Col.)
WARNERS' HIPPODROME — (3,800 (33c-39c-47c) 7 days. Gross: $10,000 (Average, $11,000)
"Navy Blues" (W. B.)
RKO PALACE—(3,100) 33c-47c-55c) days. "Hollywood Sweater Girls Revue' on stage. Gross: $21,000. (Average. $13,500)
"Chocolate Soldier" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) days. Gross: $10,000. (Average, $11,000)
"Smilin' Through" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days. Gross: $5,000. (Average, $4,000)

BELIEVE IT OR NOT!

It's Another Republic Record!

SHOWMEN TELL THE WORLD

***REPUBLIC* AGAIN BREAKS THEATRE RECORDS WITH ITS**

GREATER IDEAS IN ACTION!

***REPUBLIC'S* BOXOFFICE RESULTS ARE UNTIED AND UNEQUALED BY ANY OTHER COMPANY, STAR OR GROUP OF WESTERN STARS.**

THE TOPS

BACK IN THE SADDLE (Rep.)	175%
SINGING HILL, THE (Rep.)	170%
RIDIN' ON A RAINBOW (Rep.)	165%
MELODY RANCH (Rep.)	160%
UNDER FIESTA STARS (Rep.)	160%
DOWN MEXICO WAY (Rep.)	155%
RIDE, TENDERFOOT, RIDE (Rep.)	140%
SUNSET IN WYOMING (Rep.)	135%

AND *REPUBLIC'S* 32 *GREATER IDEAS IN ACTION* MAINTAINED THE COLOSSAL AVERAGE OF 114%

ATISTICS COMPILED BY
BEN SHLYEN
PUBLISHER
MAURICE KANN
EDITOR
XOFFICE PUBLICATIONS

BOXOFFICE

SEASON 1940-1941

RECORDS



Radio Lauded By F.D.R. in NBC Message

President Roosevelt on Saturday sent "congratulations and best wishes" to Niles Trammell, NBC president, on the occasion of the 15th anniversary of the network. The text of the President's letter follows:

"On the occasion of the fifteenth anniversary of the National Broadcasting Co., I wish to extend my congratulations and best wishes.

"Radio has contributed greatly to the culture of the American people during the past two decades, and has been a factor of incalculable value in making them the best informed people in the world through the dissemination of information affecting their welfare.

"We are living in a time of gravest national emergency, and no one can foretell the demands this emergency may make upon all of us in the future. We do know, however, that radio will be called upon to play an increasingly important part in domestic and world affairs. I have no doubt that the members of the broadcasting industry realize the responsibility which is theirs and that they will meet that responsibility by rededicating their vast resources to the maintenance of our democratic traditions, while at the same time they work with redoubled zeal to make our American system of broadcasting the best in the world."

Off the Antenna

THE NBC research division grew reminiscent over the weekend as the network celebrated its 15th anniversary and highlighted some interesting contrasts between 1926 and 1941.

Time costs have risen about 2,000 per cent. Production of programs has tripled. Music constituted about two-thirds of all program material as compared with one-half today, but there are twice as many music-hours on the air today as in 1926. The morning exercise periods have disappeared from the network but two new types of shows have appeared, the quiz programs and news and special events.

Chiefly because of the advent of daytime serials, dramatic shows have increased from three hours weekly to 65. Talks and discussions have increased from approximately five hours weekly to 27.

The average number of station-sponsored hours on the Red has increased from 149 to 3,709 weekly, and on the Blue, from 24 to 1,443. The average number of stations used on each sponsored program has gone up from nine to 55 on the Red and from three to 57 on the Blue. Sponsored programs filled 15 per cent of all broadcast time in 1926 and 27 per cent in 1941.

• • •

Purely Personal: *Edward Longstreth, former director of radio for Colgate-Palmolive-Peet, and Bruce Chapman are writing two daytime serials designed to incorporate the commercials in the dialogue. . . . Wallace Brockway and Herbert Weinstock had their book, "The Opera," published by Simon & Schuster last week. . . . Herbert Bayard Swope, Jr., CBS copywriter, will leave the network Nov. 24 to become an ensign in the Naval Reserve. . . . William Bivens, WBT, Charlotte, N. C., announcer, has resigned to become advance man for "Vox Pop." . . . John E. Fogarty, WCPO, Cincinnati, news commentator, and Agnes Devanny were married last week. . . . Jack McCarthy, NBC announcer, became father of a girl Friday.*

• • •

Latest station to experiment with all-night operation is WABC. Last Friday, Arthur Godfrey conducted his record show over the station from 1-5:15 A.M. and for the next few Fridays he plans to conduct it from 1-6:15 A.M. This is in addition to his program from 6:30-7:45 A.M. over the same station, and another show starts over WJSV, Washington, at 7:45 A.M.

• • •

Program News: *Liberty* magazine will sponsor Paul Sullivan's newscasts over 22 CBS stations Tuesday and Thursday 6-6:10 P.M. beginning tomorrow. . . . "Auction Quiz," heard over NBC-Blue, has become a syndicated weekly newspaper column. Questions used on the broadcasts make up the column. . . . Campana Sales Co.'s "First Nighter" will start its 12th year on the air Friday, Nov. 28 on CBS. More than 500 programs have been presented on the station.

U. S. Fails to Prove Charge, Says Crescent

(Continued from page 1)

W. H. Mitchell, representing an associated defendant, Muscle Shoals Theatres. J. D. Mosby, of counsel for Universal and United Artists, said his clients' brief would be filed in 10 days.

Final arguments in the Crescent anti-trust trial, which consumed seven weeks in Federal Court during late Summer, have been set for Dec. 1.

Complaints Brought Suit

Crescent's main brief declared the anti-trust action was the result of complaints made to the Department of Justice by Tim W. Smith, W. F. Roth, Fred Gorman and Mac Buchanan. The brief commented that Judge Elmer Davies, the trial judge, "observed the manner and demeanor of these witnesses while on the witness stand and on more than one occasion, in substance, stated that Smith was entitled to little or no credence—that he appeared to be anxious to give answers which he thought would meet with the approval of counsel for the plaintiff."

The 124-page brief asserted that Section 2 of the Sherman Act is not applicable, declaring: "All of the complaints against the defendant exhibitors have come from so-called independents and have not concerned the quantity of pictures but quality and dating. The charge is that the defendant exhibitors have bought and played the best pictures or that they have been able to play them earlier. It is perfectly obvious that the defendant exhibitors have not 'monopolized' the supply of films in any sense of the word."

Deny Agreements

The brief also declared that there had been no division of territory by the defendant exhibitors, nor any agreement not to compete with each other.

Claiming Crescent operations exerted no unreasonable restraint on interstate commerce, the document said, "it is absurd to say of such a commodity that the buyer in one locality 'controls the market' even if he be the only buyer in that locality. Prints may be shipped in one direction as easily as in another and the distributor alone controls the market. The Department of Justice engages in pure sophistry when it speaks of control by exhibitors of a local or geographical market. . . ."

NIGHT OF NIGHTS

22nd ANNUAL

CHARITY DINNER DANCE

OF

MOTION PICTURE ASSOCIATES

WEDNESDAY EVENING, NOVEMBER 19th

(THANKSGIVING EVE)

HOTEL ASTOR

CONTINUOUS MUSIC — DANCING TILL DAWN

TWO ORCHESTRAS

KNOCKOUT SHOW — GUS VAN M. C.

MOTION PICTURE STARS

PROCEEDS TO MOTION PICTURE CHARITY FUND

DINNER AT EIGHT

TICKETS: $7.50 per person

Make reservations NOW with

SEYMOUR FLORIN

TWENTIETH CENTURY-FOX EXCHANGE, N. Y.

Ascap Members Meet Dec. 1, Board Later

Ascap's semi-annual membership meeting has been set for Dec. 1 at the Astor Hotel. The meeting of the board of directors to elect officers is expected to be called soon after the membership meeting, according to present plans.

CompromiseExpected On Wash. Ascap Fees

SEATTLE, Nov. 16.—It is estimated $250,000 in fees is due Ascap for the period since 1937 when the Washington anti-Ascap law became effective. About half the amount is due from radio, and most of the remainder from exhibitors. A compromise payment is expected to be worked out by all parties.

Ascap officials met with state theatre interests Friday to work out an agreement on license fees, following an agreement with State's Attorney General Smith Troy by which Ascap will comply sufficiently with the state law to permit resumption of business. Ascap also agreed to drop its appeal to the U. S. Supreme Court on the validity of the state law. John G. Paine, Ascap general manager, and Herman Finkelstein, attorney, left here for Chicago over the weekend after the talks and are due in New York Wednesday.

12% Wage Increase Averts RCA Strike

A strike by RCA Communications employes was averted Friday and a new two-year contract, calling for wage increases of about 12 per cent, was agreed upon after two weeks' mediation.

The cornerstone of the new RCA Laboratories was laid Saturday with Major Gen. J. G. Harbord, RCA chairman of the board, officiating. David Sarnoff, president, spoke by radio from the *Matsonia* en route from Honolulu to San Francisco.

TEAMWORK

ALL three Eastman negative films contribute to the over-all excellence of today's productions. Although they specialize in different fields, they join forces readily because of one important attribute enjoyed in common—unvarying high quality. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS



ALEXANDRE DUMAS' STRANGEST STORY OF TWO BROTHERS WITH BUT A SINGLE SOUL!

TWINS . . . invisibly bound to each other for life—yet worlds apart and enemies to the death! . . . living, loving, fighting as one man! When one brother holds a beautiful woman, the other thrills to her love! When one brother writhes under the lash, the other feels his pain! Dumas' most unusual, most exciting drama—now dwarfs all previous achievements of the adventure screen!

Edward Small presents

ALEXANDRE DUMAS' masterpiece of adventure and romance

THE CORSICAN BROTHERS

STARRING **DOUGLAS FAIRBANKS, JR.**

RUTH WARRICK · AKIM TAMIROFF · J. Carrol Naish · H. B. Warner
Henry Wilcoxon · John Emery · Gloria Holden · Veda Ann Borg · Directed by Gregory Ratoff

Screenplay by George Bruce • From a free adaptation of the Dumas story by George Bruce and Howard Estabrook • Released through UNITED ARTISTS

This is a reproduction of an ad on YOUR BIG CHRISTMAS ATTRACTION that will appear in Life, on newsstands December 19th, as well as a 4-color ad in Look, on the newsstands December 16th—and then a whole barrage of ads in five additional national magazines!

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 99 NEW YORK, U. S. A., TUESDAY, NOVEMBER 18, 1941 TEN CENTS

Only 7 of 521 Condemned in Year by Legion

Strong Diocesan Effort on Films Is Urged

WASHINGTON, Nov. 17. — Only seven of 521 motion pictures reviewed by the Legion of Decency during the year ended Oct. 31 were placed in the condemned class, it was reported at the annual meeting of the Catholic Hierarchy, just ended here.

This was three less than were condemned in 1939-'40, it was disclosed by Archbishop John T. McNicholas of Cincinnati, chairman of the Episcopal Committee on Motion Pictures.

The Archbishop's report showed that 267 pictures, or 51.25 per cent of those reviewed, were placed in Class A-1 as totally unobjectionable; 197, or 37.81 per cent, in Class A-2 as unobjectionable for adults, and 50, or

(Continued on page 6)

Defense Attacks U.S. Crescent Suit Stand

NASHVILLE, Tenn., Nov. 17.—The Government's legal arguments in the anti-trust suit against Crescent Amusement Co. and associated defendants are a statement of sweeping principles set forth without any citation of authority, it was charged by the defendants today in an 86-page reply brief. The Government's "theory of liability" is attacked.

"It is submitted," said the reply brief, "that neither the principles enumerated in plaintiff's preliminary statement nor the rules which the

(Continued on page 6)

Ban on Ism Groups Favored by Equity

By a vote of 330 to 236, members of Actors Equity in a referendum urged the union's council to amend the constitution to bar Communists, Fascists and Nazis from holding office or being employed by Equity, it was announced yesterday.

Of the 330 who voted in the affirmative, 273 went further and urged that sympathizers with these groups likewise be excluded.

Five hundred and ninety-five ballots were returned of the 4,000 sent

(Continued on page 6)

'Swamp Water' Gets $7,500 on Weekend, Big Broadway Draw

"Swamp Water," 20th Century-Fox picture, was an outstanding exception on Broadway over the weekend, taking an estimated $7,500 for Saturday and Sunday This is one of the biggest weekend grosses the theatre has had and the week is expected to wind up comparatively big. The run is tied in with an advertising and exploitation campaign.

The picture is playing at an advanced scale of 55 cents matinees and 75 cents evenings, Saturday and Sunday, and 35 cents matinees and 65 cents at night on weekdays.

Elsewhere, business in the main was about normal. The crisp Fall weather and football games which brought in many visitors helped, managers reported.

Also big was "Week-End in Havana" at the Roxy, which, with a stage show, drew an estimated $30,800 Friday through Sunday. The

(Continued on page 8)

B & K Takes Three Chicago Theatres

CHICAGO, Nov. 17.—Balaban & Katz will take over the Portage, Drake and Admiral theatres here from the GCS Circuit on a 20-year lease starting Jan. 1, it was learned today.

Details of the arrangements have not been disclosed but it is assumed that the change results from the arbitration clearance complaint filed by GCS some time ago, which named the

(Continued on page 6)

SEARS AND RAFTERY NEW CHIEFS OF U.A.

Sears to Head Sales and Raftery President; Kelly Made Finance Committee Chairman And Laudy Lawrence Coordinator

Gradwell L. Sears, formerly general sales manager of Warner Bros. Pictures, has been named sales chief of United Artists Corp. His term will run for several years. Attorney Edward C. Raftery, of the law firm of O'Brien, Driscoll and Raftery, and secretary and general counsel of the company, has been prevailed upon to accept the presidency of the company for a limited period. Raftery, who will continue in the practice of law and retain his lawyer status with the company as well as his partnership in the O'Brien, Driscoll and Raftery firm, accepted an arrangement to head the company for one year, but without a contract.



Gradwell Sears



Edward Raftery

Sears' deal for the sales managership of United Artists was negotiated by Attorney Leo Spitz. He was elected a vice-president of the company.

It was also announced yesterday that Laudy Lawrence, assistant to David O. Selznick and former European sales manager of Loew's, has been named a vice-president and executive co-ordinator of the company, and will supervise the firm's foreign business. Arthur W. Kelly, formerly foreign manager and vice-president in charge of distribution, will continue as a vice-president of the company and additionally will serve as chairman of the U. A. finance committee.

A new executive committee has been formed consisting of Raftery, Sears, Lawrence and Kelly. This committee, it was announced, will substitute in the handling of many business matters formerly handled by the United Artists board of directors. The board comprises David O. Selznick,

(Continued on page 6)

Financing for United Artists productions is being discussed with Guaranty Trust Co. and other banks, it is reported. Meanwhile, U. A. anticipates no difficulty in establishing a revolving credit with banks on its present assets which will permit immediate production, Arthur W. Kelly said, and the company plans to be responsible for eight to 10 productions annually.

$52,000 to British Film Charity Fund

LONDON, Nov. 17.—It is estimated that £13,000 (approximately $52,000) will be turned over to the Cinematograph Trade Benevolent Fund, as a result of the penny-a-seat tax imposed during the recent Cinema Day.

Films to Latin America to Be Truthful, Says Whitney

By SHERWIN A. KANE

American films sent to Latin America will be "utterly truthful and authentic picturizations of American life and objectives," John Hay Whitney, head of the film division of the Office of the Coordinator of Inter-American Affairs, declared yesterday.

Whitney, in a review of his recent six-month tour of Latin America, declared that Hollywood will give its cooperation in the production of such films. "We will not combat false impressions with anything but facts," he said. "The 'American way' is its own best ambassador." Whitney will meet on the Coast next week with major

(Continued on page 8)

Plaintiffs Withdraw Reading Trust Suit

PHILADELPHIA, Nov. 17. — Harry Block and Henry Sork, operators of the Rio in Reading, Pa., agreed today to dismiss their anti-trust suit against the major distributors and a group of exhibitors, including the Warner and Comerford circuits.

The suit, which sought $60,000 damages, tripled under the anti-trust laws, was scheduled to be tried today in U. S. District Court here. It is understood the defendants rejected a move for an out-of-court settlement. Morris Wolf, Warner attorney, advised the court that the plaintiff's had

(Continued on page 6)

New Comedy Makes B'way Bow Tonight

Another new comedy, "Junior Miss," which is a dramatization by Jerome Chodorov and Joseph Fields of stories by Sally Benson, opens at the Lyceum tonight. Max Gordon is the producer and Moss Hart the director. In the play are Philip Ober, Barbara Robbins, Alexander Kirkland and others.

William Paley Dinner To Murrow on Dec. 2

Edward R. Murrow, chief of the CBS European staff, will be the guest of honor at a dinner at the Waldorf-Astoria Dec. 2 given by William S. Paley, CBS president. Many Government officials, educators, publishers, editors, business men and radio personalities are expected to be present.

Murrow is en route from Lisbon on the *Excambion,* which is due here Monday. He plans to start a three-month lecture tour early in December.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th Street & 6th Avenue
FREDRIC MARCH • MARTHA SCOTT
"ONE FOOT IN HEAVEN"
A Warner Bros. Picture
ON STAGE: "THE WALTZ KING"—melodies of Johann Strauss . . . produced by Leonidoff. Symphony Orchestra direction of Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

Fred MacMurray
Mary Martin
Robert Preston
IN PARAMOUNT'S
"NEW YORK TOWN"
IN PERSON
Bill **Robinson**
Jimmie **Lunceford**
and band
PARAMOUNT TIMES SQUARE

CARMEN CESAR ALICE JOHN
MIRANDA-ROMERO-FAYE-PAYNE
'WEEK-END in HAVANA'
PLUS A BIG STAGE SHOW **ROXY** 7th Ave. & 50th St.

RKO **PALACE** B'WAY & 47th St.
Tyrone Power—Betty Grable
"A YANK IN THE R.A.F."
—and—
"HURRY, CHARLIE, HURRY"
with Leon Errol

5th Big WEEK
WALT DISNEY'S
DUMBO
at the **BROADWAY** 53rd St. & B'way Cl 6-5353
Continuous Performances Popular Prices Doors Open 9:30 A.M.
Mezz. Seats Reserved
IN TECHNICOLOR

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists **RIVOLI** Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows.

Personal Mention

JAMES MULVEY, vice-president and Eastern representative for Samuel Goldwyn, Inc., arrived in Florida yesterday to recuperate from a recent operation.

•

JEANNETTE BERLINER, Republic booker in New Haven, will spend the Thanksgiving holiday here.

•

BERNARD KLEID of National Theatre Supply is recuperating at Israel Zion Hospital, Brooklyn, after an appendicitis operation.

•

EDWARD L. KLEIN is recuperating at the Hotel Gregorian after two operations.

•

WALTER WANGER has returned to the Coast.

S. CHARLES EINFELD, Warners' director of advertising and publicity, arrived in California yesterday from New York.

•

PHIL ENGEL of Warners has left on a tour of New England.

•

ALBERT S. HOWSON will address the Albany Film and Theatre Guild this evening.

•

HERMAN WOBBER is expected on the Coast late this week.

•

JOSEPH I. BREEN has arrived in California from the East.

•

AL PICKUS, exhibitor of Stratford, Conn., has returned from a two-weeks' trip to Indiana.

Musicians, Actors Sign Pact in Phila.

PHILADELPHIA, Nov. 17.—A formal alliance was reached here for the first time in union history between the musicians and the performers. The executive board of Local 77, American Federation of Musicians, acting on a favorable vote by the membership, drew up a formal agreement with the local American Guild of Variety Artists chapter. The mutual assistance pact provides that no musician is to play for a performer not holding an AGVA card, and that no actor is to perform unless the accompanying musicians all hold AFM cards.

To Inaugurate NYU Course on Pictures

The Washington Square College of Arts and Sciences of New York University plans to inaugurate a four-year course in motion pictures, leading to the degree of Bachelor of Arts, said to be the first such course in an Eastern college.

To mark the event a tea will be held on Dec. 5, at which executives of the film companies, press representatives and others are expected.

Set Cinema Club Election

CINCINNATI, Nov. 17.—The Cinema Club of Cincinnati will hold its annual election on Saturday.



5 SERVICES DAILY
VIA
SOUTHERN SUNSHINE ROUTE
TO
LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York	4:30 pm and 4:45 pm
	Ar. Dallas-Ft. Worth	1:28 am and 2:18 am
	Ar. Los Angeles	7:47 am and 8:47 am
THE PLAINSMAN	Lv. New York	5:25 pm
	Ar. Dallas-Ft. Worth	2:55 am
	Ar. Los Angeles	9:47 am
THE SOUTHERNER	Lv. New York	11:20 pm
	Ar. Dallas-Ft. Worth	8:52 am
	Ar. Los Angeles	4:02 pm
THE SUN COUNTRY SPECIAL	Lv. New York	6:30 am
	Ar. Dallas-Ft. Worth	4:58 pm
	Ar. Los Angeles	1:26 am

For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Readers' Say-So

EDITOR, MOTION PICTURE DAILY:

Your issue on Monday, Nov. 1[0] quoted me as saying that the cuts i[n] power for marquees and shop win[-] dows (in Charlotte) have aided the[ir] atre grosses. I have made no state[-] ment whatsoever and I am in no posi[-] tion to render an opinion due to th[e] short length of time the order ha[s] been in effect.

MRS. PAULINE GRIFFIT[H]
Secretary, Theatre Owner[s]
of North and South Carolina
Charlotte, N. C.

Hiller Pittsburgh Variety Club Hea[d]

PITTSBURGH, Nov. 17.—Joseph Hiller has been named chief barker o[f] the local Variety Club. Other officer[s] are: Brian McDonald, first assistant Tony Stern, second assistant; Jame[s] Alexander, treasurer; Al Weiblinger secretary. Directors are: James Bal[-] mer, Peter Dana, Harry Feinstein Mark Goldman, Harry Hendel, Byro[n] Stone.

The testimonial banquet for Harry Kalmine will be held Nov. 24 at th[e] William Penn Hotel, with more tha[n] 1,000 expected. Honorary banquet co-chairmen are John H. Harris an[d] Moe Silver. General chairman is C. C[.] Kellenberg, assisted by Jerry Deasey Elmer Ecker, Joe Feldman, Joseph Silverstein, Ed Stirling.

New Officers Elected By Club in Charlotte

CHARLOTTE, N. C., Nov. 17.—New officers of the local Variety Club, announced at the recent first annual charity banquet of the local unit, are headed by H. M. Everett, chief barker. Others are: Phil Longdon, first assistant; Lester Sipe, second assistant H. F. Kincey, dough guy; J. A. Bachman, property man. Directors are: Cy Dillon, Scott Lett, John Vickers Thomas Little, Robert Simpson and George Roscoe.

20th-Fox Team Here

The 20th Century-Fox basketball team from the studio arrives here today to participate in the Golden Jubilee Basketball Tournament to be held at Madison Square Garden tomorrow and next Monday.

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(Registered U. S. Patent Office)
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D. DAILY

Exhibitor Interest On 'Swamp Water'; B'way Grosses Big

"Swamp Water," 20th Century-Fox picture opening at the Globe tomorrow, holds New York exhibitor interest. The picture comes here after an exceptional campaign and record business in St. Louis. Similarly in San Francisco the picture brought in a gross of reportedly record proportions.

This gives 20th Century-Fox three films on Broadway, with "Week-End in Havana" at the Roxy and "How Green Was My Valley" at the Rivoli, thus dominating the Main Stem.

Broadway Week Strong



HOW'M I DOING?

HERE'S YOUR ANSWER!

"SWAMP WATER" TREMENDOUS ON B'WAY!



VIEWS OF THE TERRORIFIC FRONT AND OPENING DAY CROWDS!

FIRST TWO DAYS EQUAL TO A FULL WEEK'S BUSINESS AT GLOBE THEATRE, NEW YORK

20th CENTURY FOX

And in St. Louis—Biggest Week's Business Since "Jesse James"! in Atlanta—20% Ahead of "Yank"! in San Francisco—Biggest of the Year!

Appeals Board Revises Award On Clearance

The arbitration appeals board yesterday handed down a decision revising the award of a Washington arbitrator in the clearance case of the K-B Amusement Co., Washington, as an appeal was taken in a New York case, a new complaint was filed in New Haven and a Portland, Ore., complaint was withdrawn.

In the appeals board decision, the original award of the arbitrator held that the complainants' theatre, the Apex, is not in competition with either the Calvert or Uptown and directed that the clearance granted the latter two by Warners and Loew's should be eliminated entirely. The appeals board held that the testimony as to the absence of competition was largely "opinion," while facts disclosed that competition does exist between them.

The board ruled that the seven days clearance of the Calvert over the Apex should be limited to five days and the clearance of the Uptown, which has ordinarily immediately followed the Calvert, also should be limited to five days over the Apex.

The New York case appealed was that of the Alvin Theatre against the five consenting companies, on clearance, and was appealed by the Wilbur Amusement Co., an intervenor.

The clearance complaint of William Graeper, owner of Graeper's Egyptian, Portland, Ore., against all five consenting companies, was withdrawn by stipulation following a settlement agreed upon by the parties involved.

The Grand Theatre Corp., New Haven, filed a complaint involving clearance and withholding of prints against Loew's, RKO, 20th Century-Fox and Warners. The complaint asks that a maximum clearance of seven days be allowed the Pequot over the Grand.

Ascap and Wash. ITO Confer on Fees Due

SEATTLE, Nov. 17.—Ascap attorneys failed to agree with the ITO of Washington on a settlement of fees allegedly due Ascap from the four-year period in which the state anti-Ascap law was in effect, it was learned today following weekend conferences.

James Hone, executive secretary of the exhibitor organization, and a committee received proposals from John G. Paine, Ascap general manager, and Herman Finkelstein, attorney, but withheld a decision until the proposals can be placed before the entire board of the exhibitor organization.

Baltimore Club Will Give Hospital Room

BALTIMORE, Nov. 17.—The board of directors of the local Variety Club has approved a memorial committee's proposal that the club furnish a room in the Sinai Hospital here in memory of its late chaplain, Rabbi Edward L. Israel. The furnishings will include a sound-proofed floor, in addition to the usual furnishings.

Reviews

"This England"

(British National Films—World Pictures)

THIS picture from England has as its title and takes as its text Shakespeare's lines from "Richard II," "This precious stone set in the silver sea . . . This England."

Here is a documentary film with a real dramatic punch. Some may like it more because of its propaganda, and some less, but it is a moving narrative nonetheless.

Director David MacDonald has selected for his story the Norman conquest, the battle with the Spanish Armada, the Napoleonic wars and the first World War. The Englishman's willingness to fight and his love for liberty carried him through before and it is the theme of this production that England will come through again.

The episodic telling of the story begins with the appearance of a young girl reporter from New York in the village of Claverly on the Channel coast. She is seeking "color" for her story of a nation at war and the four flashbacks effectively tell why England fought before and why the nation is fighting again. MacDonald skillfully has given the story a unity which might otherwise be lost in four isolated episodes stretched over a thousand years, by using the same locale and the same characters. These leading characters are, of course, the succeeding generations who populated the village.

Emlyn Williams, Constance Cummings and John Clements have previously been seen in outstanding box-office attractions. Roddy McDowall, who contributes a fine performance in "How Green Was My Valley," made his film debut in this picture and is seen in one of the episodes. Other supporting roles are of uniform excellence.

Running time, 80 minutes. "G."* EDWARD GREIF

"Wings of Victory"

(Artkino)

"WINGS OF VICTORY," most recent release of Artkino, American distributor of Russian films, is the story of a Soviet aviation hero, Valeri Chkalov, the man who led the flight from Moscow to the state of Washington in 1937 when a young man. Chkalov was dismissed from the Russian Army Air Corps for reckless flying. Later he was a test pilot and helped develop modern planes. Finally he became chief long-distance flyer of the U. S. S. R. Besides flying, much of the film is concerned with the efforts of Olga, his wife, and his former Army squadron leader, to prevent him from being discouraged.

The technical standards of the film are not high. Parts of it are well directed and acted and parts of it very poorly done. The pace is rather slow. If the running time were cut a half hour or more, the film would be improved.

Chief propaganda elements are several scenes in which Stalin is portrayed as a kind and gentle man and some other parts of the picture in which the glories of the Soviet Union are sounded. The film has nothing to interest general American audiences. The few that see it will get a laugh at the Soviet representation of how Americans receive transoceanic flyers. In Russian, English sub-titles make it possible to follow the action.

Running time, 99 minutes. "G."* M. Q., JR.

"The Perfect Snob"

(20th Century-Fox)

BOY, Cornel Wilde, meets girl, Lynn Bari. He is usually apathetic where girls in general are concerned. She, abetted by her mother, seeks to land a rich husband of social distinction. After some entanglements with one of her prospects, Alan Mowbray, and his best friend, Anthony Quinn, the boy and the girl in the case find true love in each other.

The plot set-up is basically of the usual boy-meets-girl variety with minor variations. It is light, featherweight in fact, and breezy and always pleasant to take. As a supporting feature, it seems completely adequate.

Charlie Ruggles and Charlotte Greenwood are the parents of Miss Bari. Mother and daughter take to Hawaii and undertake to find a desirable mate for the latter. Ruggles follows. The complications then set in. Director Ray McCarey gave the film a snappy pace and commendable treatment on the whole. Walter Morosco is the producer.

Running time, 62 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

10 New Films Completed; 42 Now Shooting

HOLLYWOOD, Nov. 17—Forty-two pictures were before the cameras this week as nine started and 10 finished. Twenty-eight are being prepared, and 78 are being edited.

The busiest are M-G-M and 20th Century-Fox, each with eight in work.

The tally by studio:

Columbia

In Work: "Martin Eden," "The Man Who Returned to Life," "Shut My Big Mouth," "Lawless Plainsman."

Korda (U.A.)

Started: "To Be Or Not To Be."

M-G-M

Finished: "Joe Smith, American."
In Work: "Mrs. Miniver," "China Caravan," "Born to Sing," "I Married An Angel," "We Were Dancing."
Started: "Out of the Past," "I'll Take Manila," "Rio Rita."

Monogram

Finished: "Freckles Comes Home," "Boy of Mine," "Riot Squad."

Paramount

Finished: "Dr. Broadway."
In Work: "This Gun for Hire," "True to the Army."
Started: "Out of the Frying Pan."

RKO

Finished: "Sing Your Worries Away," "Mexican Spitfire at Sea."
In Work: "Mayor of 44th Street," "The Falcon Takes Over," "The Tuttles of Tahiti," "The Magnificent Ambersons," "Syncopation," "Valley of the Sun."

Republic

Finished: "Born to the Saddle."
In Work: "Lady for a Night."

Roach (U.A.)

Started: "Brooklyn Orchid."

Small (U.A.)

Finished: "Heliotrope Harry."

20th Century-Fox

In Work: "Tales of Manhattan," "To the Shores of Tripoli," "A Gentleman at Heart," "You Can't Always Tell," "Song of the Islands," "Roxie Hart," "On the Sunny Side," "Son of Fury."

Universal

Finished: "Frisco Lil."
In Work: "Temporary Bride," "The Wolf Man" (Formerly "Destiny").

Warners

In Work: "In This Our Life," "The Night Before Christmas," "Juke Girl," "Always in My Heart," "Arsenic and Old Lace."

Ritchey Sets Mono. Argentine Release

Norton V. Ritchey, vice-president in charge of foreign activities for Monogram, has closed a deal with Distribuidora Panamericana to distribute Monogram product in Argentina, according to word received here from Ritchey, now in Buenos Aires.

Ritchey also has named Nat Liebeskind, former RKO South American supervisor, as Monogram special representative in Argentina, Uruguay and Paraguay, with headquarters in Buenos Aires.

WORD - OF - MOUTH!



The success of a single short subject series, John Nesbitt's "PASSING PARADE," produced by M-G-M, is doing this industry more good than reams of editorials and testimonials.

To have good pictures they must be supported. To do fine things on the screen requires the cooperation of the theatres. All credit to the exhibitors of America for their judgment in booking and supporting the "PASSING PARADE" series.

The public has indicated its absorbing interest in these shorts that tell of the little events that make living an exciting experience. The sincerity of their production, the sound manner of their exposition in the best magazine tradition, the span of their source material across the by-ways of life make them subjects of extraordinary human appeal.

To those thousands of showmen who have already taken John Nesbitt's "PASSING PARADE" to their hearts, we are grateful. To others who have not yet given their audiences the opportunity to experience the warmth and inspirational thrill of these brilliant little entertainments, we urge an immediate booking. Try them once and you will become an enthusiast for one of the best offerings the screen affords.



GROWTH!
Percentage increase in circulation since start of
JOHN NESBITT'S "PASSING PARADE"

For instance, these John Nesbitt gems:

Just released:
"STRANGE TESTAMENT"

On the way:
"WE DO IT BECAUSE—"

Recent "Passing Parade" Hits:
"Hobbies" • "Willie and the Mouse" • "Out of Darkness" "This is the Bowery" • "Whispers"

Only 7 of 521 Condemned in Year by Legion

(Continued from page 1)

9.6 per cent, in Class B, as objectionable in part.

The report pointed out that there has been a continued increase in the number of films rates as objectionable, in part or in their entirety, and emphasized the necessity of strong diocesan organization to implement the work of the national office for wholesome pictures.

Renewal of the pledge of the Legion of Decency in all churches was set for Dec. 14.

Ban on Ism Groups Favored by Equity

(Continued from page 1)

out. About a third of the 4,000 were ineligible to vote because they were not in good standing or for other disqualifications, officials stated. Twenty-nine of the ballots were ruled invalid.

The referendum was in the nature of an advisory vote to the council. Twice before membership meetings have urged the adoption of such amendment. Those who voted in the affirmative on the first question were asked, in view of the difficulty of defining "sympathizer," whether that word should be included in the amendment.

Defense Increases Spending in Frisco

SAN FRANCISCO, Nov. 17.—Theatres are feeling influx of extra money into workers' pockets here, due to defense activity, which has been manifested also in the opening of six new night clubs, indicating the public has more to spend.

The Tivoli Theatre will reopen here Nov. 25 with the San Francisco Civic Light Opera committee in charge. First production, scheduled for a two-week run, will be Rudolf Friml's "The Firefly."

Loew Decision on Minn. Is Delayed

Loew's decision on its future operations in Minnesota, scheduled to be decided yesterday, was delayed due to the absence from the city of William F. Rodgers, vice-president and general sales manager. The decision may be made today following Rodgers' return from Philadelphia.

Glennan Joins Goldwyn

HOLLYWOOD, Nov. 17.—T. Keith Glennan, formerly manager of the Paramount studio, has been appointed manager of Samuel Goldwyn Studios.

WANTED

Young man, draft exempt, with accounting experience. Familiar with national motion picture circuits and independent exhibitor accounts. Must be able to compile records, set up statements, etc. Salary $30 to $35. Box 203, MOTION PICTURE DAILY, Rockefeller Center, New York.

Sears New U.A. Sales Head; Raftery Named President

Elected to New Posts in United Artists

• • •



Laudy Lawrence



Arthur W. Kelly

(Continued from page 1)

Alexander Korda, Charles Chaplin and Mary Pickford.

The deal with Sears was arranged last week.

The company will establish a new production committee in Hollywood to be headed by George Bagnall, former general manager of the Paramount studio and more recently general manager of Alexander Korda Films, Ltd. The committee will consist of four members in addition to Bagnall, one each to be designated by Chaplin, Pickford, Korda and Selznick. Selznick has appointed Daniel T. O'Shea, executive vice-president of his company, as his representative on the committee, and the remaining committee members are scheduled to be named within the week.

Will Include Financing

The new production committee will have charge of the company's financial interests in its productions and will direct the operation of United Artists Productions, Inc., the former Walter Wanger production company recently acquired by United Artists and destined to become the company's own producing organization.

Under the plans of the executive reorganization, it is expected that United Artists will appreciably increase its release schedule by signing independent producers who will work through the company's own producing organization.

Arrangements for such additional productions will be made by the new committee, on the advice of Sears and the New York executive committee and will, in turn, be passed upon by the United Artists board only on the joint recommendation of these groups.

Sears will assume his new post on Monday. The other appointments are effective immediately.

Raftery has been identified with the company in legal capacities for 19 years. He will maintain headquarters, he said, in both the United Artists offices and his present law offices and will make periodical visits to the Coast for conferences with owners and producers. The presidency of United Artists has been vacant since Dr. A. H. Giannini relinquished it about five years ago. In the interim, Mary Pickford, George J. Schaefer, Maurice Silverstone and Kelly have acted as temporary administrative heads of the company.

Sears said that it was his intention to retain the present United Artists sales setup in both the home office and the company's 32 exchanges in the United States and Canada. However, it was widely reported yesterday that Carl Leserman, formerly assistant to Sears at Warner Bros., who resigned with Sears two weeks ago, would shortly join United Artists.

In this connection it has been established that the Nathanson interests in Canada have invited Haskell M. Masters, United Artists general sales manager for the West and Canada, to become general manager of their new Odeon Circuit in Canada.

Harry Gold is Eastern and Southern general sales manager for United Artists.

Lawrence said that Walter Gould, foreign manager, will remain in charge of that department and that no immediate changes are contemplated in the personnel of the 27 exchanges abroad.

The number of U. A. productions to be made by the company's new producing unit is scheduled to be set by Sears in the near future. In the meantime, the company was said by Kelly to have $1,200,000 in assets and the exclusive ownership of "To Be Or Not To Be," the Alexander Korda production, starring Carole Lombard and Jack Benny, and directed by Ernst Lubitsch, as well as the last Wanger production, "Sundown." The Korda production is owned by United Artists through Romaigne Prod., a wholly owned subsidiary which has the rights to the picture, Raftery said.

Announcement at Party

Announcement of the executive reorganization was made late yesterday at the Waldorf-Astoria suite of David O. Selznick, who has been the principal figure in the negotiations under way here for the past six weeks. In the course of those negotiations, the names of not only Raftery and Sears entered the picture, but also that of William F. Rodgers, vice-president and general sales manager of United Artists.

The announcement yesterday was made something of a gala occasion, in the form of a cocktail party, with not only all of the United Artists home office executives in attendance, together with trade and daily press representatives, but also many well known executives of other companies. Among the latter were Nicholas M. Schenck, Joseph M. Schenck, Ned E. Depinet, Carl Leserman, Malcolm Kingsberg, Charles W. Koerner, John Hay Whitney, Lowell Calvert, Sam Rinzler, Colvin Brown and Leo Spitz.

Defense Challenges Position of U.S. in Crescent Suit Brief

(Continued from page 1)

plaintiff deduces therefrom are accurate, applicable statements of the law."

The 86-page reply, supplementary to Crescent's 124-page main brief filed last Friday with Federal Judge Elmer Davies, stated the main brief was filed "purposely" because the defendants desired to get before the "court" the facts and law without at the same time discussing the conclusions drawn by the plaintiff from the facts."

It was argued in the reply brief that Crescent's franchises with Paramount, Warners and 20th Century-Fox "cannot be invalidated for want of necessary parties." Pointing out the three distributors were missed from the Crescent suit following the consent decree, the brief declared, "it is impossible, therefore, to invalidate these franchises at this time because it would adversely affect the right of parties not before this court."

With respect to agreements Crescent had with independent exhibitors not to compete with Crescent after selling their theatres, the brief asserted "it is well settled that reasonable agreements not to compete made in connection with the sales of a business do not violate the (Sherman) Act."

Defendant exhibitors, the brief declared, have not made unreasonable use of whatever circuit buying power of films they may possess.

Cincinnati Reports 256 October Games

CINCINNATI, Nov. 17.—Total attendance at 256 chance games parties here in October was 295,893, according to report of Police Chief Eugene T. Weatherly, in a report to City Manager C. O. Sherrill, who issues the permits. Gross receipts were $211,978 and prizes, $49,321, leaving net of $162,657 to the sponsoring organizations. Average net cost per player was 54 cents.

Plaintiffs Withdraw Reading Trust Suit

(Continued from page 1)

agreed to a dismissal, which Benjamin Sork, attorney for the plaintiffs, affirmed.

Meanwhile, the anti-trust trial of Milton Rogasner, operator of the Iris here, against Warners and the major distributors, also scheduled for today, was continued by agreement until the next term of court, probably in January.

B & K Takes Three Chicago Theatres

(Continued from page 1)

five consenting companies and the B & K Belpark, Will Rogers and Gateway theatres. It is expected that the deal will automatically dispose of the complaint.

Hart Has Operation

William S. Hart, veteran actor, underwent an operation for cataracts yesterday at the Columbia-Presbyterian Medical Center.

ASK YOURSELF THIS QUESTION:

What Would 50 to 100% More Screen Light Mean For My Theatre?



● Theatre managers who have adopted High Intensity projection know that the increased screen light means

IMPROVED PICTURE QUALITY
BETTER AUDIENCE RESPONSE
INCREASED ATTENDANCE
MORE PROFIT

The new "One Kilowatt" High Intensity arcs supply 50 to 100 per cent more screen light than low intensity lamps at practically the same operating cost. Initial cost is also low.

Ask your dealer to give you the figures and a demonstration of this modern projection light.

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

1881 - 1941

The sixty year record of "National" carbons is one of steady progress and improvement. Further progress and continued leadership in the Motion Picture Industry are assured by constant research and an intensive development program.

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

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GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco

'Swamp Water' Gets $7,500 on Weekend, Big Broadway Draw

(Continued from page 1)

show is now in its second week and will hold for a third. At the Rivoli, "How Green Was My Valley," now in its third week, grossed an estimated $16,000 Friday through Sunday and starts a fourth week tomorrow.

The Radio City Music Hall with "One Foot in Heaven" and a stage show had a Thursday through Sunday gross estimated at $60,000. The film ends a one-week run tomorrow night to make way for "Suspicion." "The Chocolate Soldier" at the Astor did an estimated $6,200 Friday through Sunday and that picture, now in its third week, also holds over.

"They Died With Their Boots On" starts at the Strand Thursday with Woody Herman's orchestra on the stage. The theatre's present film, "International Squadron," with Teddy Powell's orchestra, brought an estimated $19,500 Thursday through Sunday.

Another new picture to make its Broadway debut this week is "Skylark," which opens at the Paramount tomorrow with Harry James' orchestra and Ray Bolger on the stage. The current attraction, "New York Town" with Bill Robinson and Jimmie Lunceford's orchestra on the stage, ends a single week's run tonight with an estimated $37,000 expected. Saturday and Sunday business was estimated at $19,000.

"The Forgotten Village" will open today at the Belmont Theatre.

Ticket Tax Voted By Alabama Town

BESSEMER, Ala., Nov. 17. — The Bessemer City Council has imposed an amusement tax of one cent for tickets of 10 cents or under, and two cents on all tickets over 15 cents. Motion pictures, football games and any other class of public amusement will fall in the classification.

The amusement tax was vigorously opposed by operators of motion picture houses, who claimed that it was unfair to tax one business alone and attempted to show that where the tax was collected in the state there had been a sharp decrease in receipts.

Ban Quebec Child Aluminum Matinee

MONTREAL, Nov. 17.—Provincial authorities of Quebec on Saturday refused permission to Robert Johnson, manager of the Kent Theatre, to stage a special aluminum matinee for children with an article of aluminum as the admission fee. Authorities refused to relax the Quebec provincial law forbidding children under 16 to attend film theatres, despite the nature of the special showing.

Sacramento Gross Hurt by Taxi Strike

SACRAMENTO, Nov. 17.—A citywide taxi strike is being blamed by local motion picture operators for a drop in box-office receipts. Drivers for all seven major cab companies are demanding their minimum guarantee be increased from $1 to $4.

BMI Adopts New Eight-Year Pact

Broadcast Music, Inc., yesterday announced a new eight-year contract offered to succeed the current one, which expires March 12, 1942. Fees will continue to be based on a sliding scale in relation to gross income. Rates are reduced so that stations in the lowest income brackets will pay ¾ of one per cent instead of 1 per cent, and those in the highest group 1.2 per cent instead of 1.66 per cent. The new scale is estimated by officials to bring in more than $1,000,000.

'U' Will Release New Wanger Production

The deal by which Universal will release Walter Wanger's "Eagle Squadron" was signed on Saturday, coincident with the company's mid-season meeting of Universal's Eastern and Southern district and branch managers, home office and studio officials at the Hotel Astor. The deal confirms MOTION PICTURE DAILY's story of yesterday

The picture is scheduled to be made at the Universal studio and background shots are now being made by a Wanger production unit in Europe. Shooting is scheduled to start by Jan. 5 and the picture is slated for release in the Spring.

Bergen Program Tops Hooper List

Edgar Bergen's Charlie McCarthy tops the list of big audience programs with a rating of 30.1, according to the latest Hooper ratings. Fibber McGee & Molly are in second place with 29 and Walter Winchell is a close third with 28.6, having moved up from seventh place in the last report. Jack Benny is in sixth place with 27.6, just behind "Aldrich Family" with 28.2 and Bob Hope with 27.7.

Others in the first 15, are "Lux Radio Theatre," 26.4; "Maxwell House Coffee Time," 23.3; Eddie Cantor's "Time to Smile," 19.3; "Mr. District Attorney," 18.3; Orson Welles, 18; Major Bowes, 17.4; "Kraft Music Hall," 17.3; Kate Smith, 16.8, and "One Man's Family," 16.8.

Red Skelton, with 20.6, leads the programs with regional, rather than coast-to-coast, hookups.

Set Chicago Plans For Basket Party

CHICAGO, Nov. 17.—A meeting was held by Morris G. Leonard and Jack Kirsch, co-chairman of the Chicago Movie Basket Parties, which was attended by representatives of exhibitors, the unions and the press. Plans for the annual party were discussed and committees assigned to handle arrangements.

The Seventh annual party will be held at all participating theatres at 10:30 A.M. on Dec. 23.

ATOI Convention Elects Directors

INDIANAPOLIS, Nov. 17.—Associated Theatre Owners of Indiana, affiliate of Allied, today elected new directors at the organization's convention here. Officers will be elected tomorrow.

The directors chosen are: Alex Manta, Maurice Rubin, H. Lisle Kreighbaum, Douglas Haney, A. H. Borkenstein, Roy Kalver, Marc Wolf, William Studebaker, J. [illegible] Dixon, Leonard Sowar, P. H. Dickson, Sam Neall, Abe Kaufman, J. B. Sonce, Stanley Cooper, Walter Easley, Roy Harrold, Trueman Rembusch, S. J. Switow, Oscar Fine, Harry Kornblum, H. H. Johnson, H. P. Vonderschmitt, A. B. Thompson, Dudley Williston, Fred J. Dolle and Carle Niesse.

Jack Kirsch, president of Allied of Illinois, urged the setting in motion of Allied's plan for industry unity immediately.

Other speakers were H. M. Richey of M-G-M; Claude Lee, of Paramount and George B. Loy, head of the Indianapolis office of the U. S. Secret Service.

Speakers tomorrow include Abram F. Myers, general counsel of Allied States and Jacob Weiss, ATOI counsel, among others.

7 of 11 New Pictures Approved by Legion

Of 11 new pictures reviewed and classified by the National Legion of Decency this week, seven were approved, five of them for general patronage and two for adults; three were classed as objectionable in part, and one was condemned. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Billy the Kid's Roundup," "Land of the Open Range," "The Royal Mounted Patrol," "Sierra Sue," "Spooks Run Wild." Class A-2, Unobjectionable for Adults—"Cadet Girl," "Weekend for Three" Class B, Objectionable in Part—"Escort Girl," "Man Who Seeks the Truth," (French), "Swamp Woman." Class C, Condemned—"Le Roi" (French).

Morrison Loses Suit To Halt SAG Action

HOLLYWOOD, Nov. 17.—Federal Judge Leon Yankwich has rejected the petition of Leo Morrison, agent, who sought to restrain the Screen Actors Guild from taking disciplinary action against him over his suit against Charles K. Feldman and others for allegedly influencing John Wayne to drop his agency contract with Morrison. The court held the SAG's agency franchise agreement carried sufficient remedies and that the court was in no position to grant relief.

Delay Date for Trial

CHATTANOOGA, Nov. 17.—Date for trial of the copyright suit of six majors against Dixie Theatres Co., for $4,750, will be set in Federal Court here after Dec. 1. The plaintiffs allege unauthorized showing of 19 films at the circuit's Volunteer Theatre here. Plaintiffs are: Loew's, Columbia, Warners, 20th Century-Fox, Paramount and Universal.

Films to Latin America to Be Truthful, Says Whitney

(Continued from page 1)

company heads to discuss plans for production of the films.

During his trip through the Southern Hemisphere, Whitney said he had discussions with President Vargas of Brazil, Foreign Minister Rossetti of Chile and with officials of other countries on an extensive program of interchange of shorts and 16 mm. films between the United States and the Latin nations to aid in the familiarization of each people with the other.

Everyone expressed a desire to see more of the United States way of doing things, Whitney said of his trip. He disclosed that Brazil's Minister of Education, Roquette Pinto, told him he is anxious to develop the use of educational films in Brazil's schools and wants United States-made films for the purpose. In Chile the foreign minister is setting up a special committee to cooperate with the Coordinator's office.

The films sent to Latin America will be made under the supervision of Kenneth Macgowan, 20th Century-Fox producer, on loan to the Coordinator's office, Whitney said. Distribution, wholly non-theatrical, will be handled through an organization being set up by Phil Reisman, RKO foreign manager, who has been lent "part-time" to Whitney's office by George J. Schaefer, president of RKO. Reisman's setup will handle distribution of 35 mm. Latin pictures reduced to 16 mm. form, in this country as well as the U. S. pictures in South and Central America.

Technical aides to help improve the quality of South American shorts made for United States distribution are being sent to Brazil, Argentina and Chile by his office, Whitney revealed.

Whitney also disclosed that Walter Wanger will succeed to the post recently vacated by Kenneth Thomson as executive secretary of the Motion Picture Society for the Americas, the Hollywood group which works with Whitney's office on production. Thomson found it necessary several months ago to devote more time to the Screen Actors Guild, of which he is executive secretary. David Hopkins has been named the Coordinator's representative on Wanger's staff.

Business Men Give Aid Against Axis

During his recent trip to South America, John Hay Whitney said yesterday he found groups of American business men in Argentina and Brazil have done effective work in cutting down the playing of Axis films in houses not actually controlled by the Nazis.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 100 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 19, 1941 TEN CENTS

Average Cost Of Arbitration Put at $87.87

Prof. Sturges Discusses Decree at Chicago

CHICAGO, Nov. 18.—The average cost of an arbitration proceeding during the first nine months the industry tribunals were in operation was $87.87, including $58.23 exhibitor's cost and $29.64 to the distributor, Prof. Wesley A. Sturges of the Yale Law School disclosed here yesterday.

Prof. Sturges, a member of the executive committee and a director of the American Arbitration Association, discussed the film consent decree and arbitration system at Northwestern University.

The cost figures he presented include filing costs, arbitrators' fees

(*Continued on page 6*)

Wanger UA Return Under Discussion

Negotiations for Walter Wanger's return to United Artists as a producer under the company's new management are reported to have been opened and are scheduled to be resumed here in about three weeks when Wanger is expected to return to New York.

The negotiations, it is expected, will be conducted by Edward C. Raftery, new United Artists president, and Gradwell L. Sears, vice-president in charge of distribution.

Raftery took over his new duties with the company yesterday, as did Lloyd Lawrence, vice-president and executive coordinator, and Arthur W. Kelly, vice-president and new chairman of the finance committee. Sears will assume his new post on Monday.

David O. Selznick, who concluded

(*Continued on page 6*)

Indiana Exhibitors Reelect All Officers

INDIANAPOLIS, Nov. 18.—Officers of Associated Theatre Owners of Indiana were reelected by the board of directors as the organization's 15th annual convention closed today at the Hotel Antlers here.

Roy E. Harrold of Rushville begins his third term as president. Other officers are H. H. Johnson, Madison, vice-president; Marc J. Wolf, Indianapolis, treasurer; Don Rossiter, ex-

(*Continued on page 6*)

USO Shows Set for 206 Camps; B'way Plays Are Slated

The shows planned by USO Camp Shows, Inc., for the entertainment of men in the Army and Navy will reach a total of 206 Army camps and Naval stations, and will continue until next April 18, it was announced yesterday.

The first four shows on the circuit will open at Army camps and Naval stations on Nov. 27, according to Eddie Dowling, president of USO Camp Shows, Inc. Four others will open Dec. 3, Dowling announced, and a total of 13 are expected to be ready by Christmas.

The first four shows include: "Funzafire," "Ada Leonard and Her All-American Girl Revue," "Follow the Crowd" and "Bring on the Girls." According to plans, an all-Negro show will go into production shortly for inclusion on the Winter program, and three Broadway plays also will be presented.

The major show circuit will play only 65 Army camps and Naval stations where complete theatre and stage facilities are available. Other units will go into 141 camps and stations which have inadequate stage properties for elaborate shows.

New Yorkers to Be At Dinner to Silver

ALBANY, Nov. 18.—Film and theatre executives from New York, Buffalo, Boston and Pittsburgh are expected to attend the testimonial dinner at the Ten Eyck Hotel here Dec. 8, given by the newly formed Albany Variety Club, Tent No. 9, for M. A. Silver, Warner Theatres zone mana-

(*Continued on page 6*)

FCC Official Pro-Red, Charge by Rep. Dies

Washington, Nov. 18.—Goodwin Watson, broadcast analyst of the Federal Communications Commission, tonight was charged by Rep. Martin Dies of Texas with being a "propagandist for Communism and the Soviet Union."

Dies made his charge in a letter to FCC Chairman Fly in which he declared he was deeply concerned over Watson's appointment as, he said, it clearly demonstrated what he has frequently said in the past, that there is a definite influx of Communists and "fellow travelers" in the Government service.

Dies listed Communist front organizations with which he said Watson is affiliated.

Group Leaves for Detroit 'U' Opening

A group of New York trade paper representatives left last night for Detroit to attend the opening at the Fox Theatre there tomorrow night of Universal's "Keep 'Em Flying," starring Abbott and Costello. The stars, Carol Bruce and Arthur Lubin, director, will attend, as will Dick Foran of the cast, who left here with the New York representatives.

A parade, greeting by city officials, radio broadcasts and a reception have been planned for tomorrow preceding the opening. The New York group will return here by air Thursday morning.

'Times' to Furnish WMCA With News Periods Daily

In one of the most important moves toward newspaper and radio cooperation, the *New York Times* has undertaken to furnish WMCA with news periods every hour on the hour from 8 A. M. to 11 P. M. every day except Sunday, when four periods will be furnished. The arrangement will start Dec. 1.

The first and last periods each day and all the Sunday periods will be of eight minutes duration, while all others will be of three minutes. The *Times* will prepare and edit all the

(*Continued on page 7*)

M.P. Associates Hold Annual Fete Tonight

Motion Picture Associates' 22nd annual dinner and dance will take place tonight at the Hotel Astor with about 500 persons expected. Among those invited are Paul Lucas, Rosemary Lane, Mischa Auer, C. Aubrey Smith and Bruce Cabot. Gus Van will be master of ceremonies. Jack Ellis is chairman of the arrangements committee. Joseph Lee is president of the organization.

Minn. Houses Seek Films to Avoid Closing

Allied Asks Early Release For Subsequents

By ROBERT E. MURPHY

MINNEAPOLIS, Nov. 18.—With the product situation in Minnesota acute because of the extended delay in selling by six major companies as a result of the state's anti-block-of-five law, Northwest Allied today appointed an emergency booking committee which will attempt to negotiate immediate release of films by first runs in order to avoid closing of subsequent run houses between now and the time new product will become available to them.

Donald O'Reilly of St. Paul was named chairman of the committee. The other members are Fred Strom, executive secretary of Northwest Allied, and Sidney Wolk of Minneapolis.

Meanwhile, many independent exhibitors assert that they will be forced to raise admission prices in order to pay the higher terms being asked by the companies which have resumed selling during the past two

(*Continued on page 6*)

WB Note Guarantee Is Reported by SEC

The Securities and Exchange Commission made public yesterday a guarantee of payment by Warners on a $4,660,000 note issued by the Stanley Co. of America, a Warner subsidiary, to the Equitable Life Assurance Society of the U. S.

The note provides for interest at 4¼ per cent and quarter-annual payments of $104,850, with a final payment to be made Oct. 1, 1956.

Warners also reported, according to the SEC statement, that it had concluded a new employment contract with Joseph Bernhard as vice-president and general manager, for five years ending Oct. 31, 1946, at a salary of $2,500 per week plus $500 a week for expenses.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Thursday, Thanksgiving Day.**

Coast Flashes

Hollywood, Nov. 18

M-G-M today borrowed John Garfield from Warners and Akim Tamiroff from Paramount to work with Spencer Tracy in "Tortilla Flat."

•

John J. Gallagher Productions today established headquarters at the Hal Roach studio, announcing plans to make "Gypsy Cavalier" for Columbia release in English and Spanish versions. Edwin Martin was appointed advertising and publicity head for the company.

•

Members of the short subjects branch of the Academy of M. P. Arts & Sciences will meet next Tuesday to plan procedure on voting in the annual awards competition. Pete Smith is branch chairman.

•

RKO announced today the purchase of "Father Malachy's Miracle," Brian Doherty play produced on Broadway in 1937.

•

Marcus Goodrich today asked the Federal court to enjoin M-GM from producing a film under the title "Delilah," from a Ferenc Molnar play, which is the title of his novel. If an injunction is denied, he asked the court to grant damages based on an accounting.

Will Dissolve GCS Circuit in Chicago

CHICAGO, Nov. 18.—Mort Goldberg, president of the GCS Circuit, said today that disposal of the circuit's three de luxe houses, the Portage, Drake and Admiral, to Balaban & Katz means the dissolution of the circuit and the retirement of the circuit heads after the first of the year.

Negotiations are now on for the sale of GCS circuit's Fox, Jeff and Revue theatres, all seating less than 750.

Danziger Leaves Metro

William Danziger yesterday resigned from the advertising department of M-G-M after seven years with the company. He plans to sail for Rio de Janeiro Dec. 19 with Mrs. Danziger for an indefinite stay.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.
Special Matinee Thanksgiving Day

"A GREAT SHOW"—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR—2ND EDITION of the
Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats. Thurs., Fri., Sat. & Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

PAT CASEY plans to leave for the Coast tonight.

•

PAUL NATHANSON left for Toronto yesterday.

•

MERVYN LEROY is due here today from the Coast for a vacation.

•

JULIAN JOHNSON is expected from the Coast for a New York visit.

M. J. SIEGEL plans to return to the Coast Friday.

•

JACK HART of the Riviera Theatre, Scranton, Pa., has been called into the Army.

•

ROBERT M. SAVINI has returned from a trip through the Midwest, South and Southeast.

Greendale Play to Open Here Tonight

"Walk Into My Parlor," a play by Alexander Greendale, opens tonight at the Forrest with Rosina Galli, Nicholas Conte, Silvio Minciotti and Hildegarde Halliday among the cast members. Luther Greene is the producer.

Phila. Variety Club Banquet on Dec. 14

PHILADELPHIA, Nov. 18.—The local Variety Club will hold its annual banquet on Dec. 14 at the Bellevue Stratford Hotel. James J. Walker, former mayor of New York, is expected to be toastmaster. Postmaster General Frank C. Walker and Mayor Bernard Samuel of Philadelphia are scheduled to attend.

Entertainment, to feature numerous stage and screen personalities, is in charge of Sam Steiffel, and chairman of the dais committee is Ted Schlanger. The banquet will honor the retiring chief barker, Earle Sweigert, and Dr. Leon Levy, former chief barker.

Censorship Urged By La. Methodists

SHREVEPORT, La., Nov. 18.—The Louisiana Methodist Conference, meeting here, went on record as favoring control and censorship of motion pictures by the state board of education.

The resolution stated that films, which it terms the greatest teaching agency in America today, should be examined as to their moral value by state boards of education.

WB Stockholders Will Meet on Dec. 8

The annual meeting of stockholders of Warner Bros. Pictures, Inc., will be held in Wilmington, Del., on Dec. 8. Six directors have been nominatad for reelection by the preferred stockholders for two-year terms. The six are: Joseph Bernhard, Waddill Catchings, Robert W. Perkins, Albert Warner, Harry M. Warner and Jack L. Warner.

From Army Show Group

SACRAMENTO, Nov. 18.—Parties Unlimited has been incorporated here by a group of Hollywood women to sponsor entertainments, dances and shows for the men in the Army and Navy. The directors include Phyllis Brooks, Claire Trevor, Edith Wilkerson, Martha Mature, Priscilla Stillman, Helene Bowman, Mary Briggs, Marjorie Hall and Daisy A. Seiler.

Move to Level Off Prices in St. Louis

ST. LOUIS, Nov. 18.—A move to level off admission prices among subsequent run houses in St. Louis is under way, according to Fred Wehrenberg, head of a circuit of neighborhood houses and president of the MPTO here. Wehrenberg said the movement has been endorsed by the St. Louis Amusement Co. and independent owners are likewise agreeable, except for one in South St. Louis and one in West St. Louis.

The "leveling off" will entail a slight increase in admission, but will include Federal and State taxes, Wehrenberg said. State taxes here are paid in mills, and the movement has a slogan of "No Mills and No Pennies." For example, many of the subsequent run houses are charging 28 cents, and this will be increased to 30 cents. Those charging 22 cents will increase to 25 cents. Wehrenberg said the plan was tried recently at his 24 theatres and was successful.

Dual Opening in Pa. Is Set for 'Valley'

A dual opening of "How Green Was My Valley" is scheduled for the Comerford, Wilkes-Barre, and the Strand, Scranton, next Wednesday, it was announced yesterday. The bookings are the only ones except for the world premiere run at the Rivoli here to be scheduled for the picture during the remainder of this year, according to 20th Century-Fox.

The twin bookings were made because of the large Welsh population and mining interests, it was stated.

RKO Will Screen 3 Westerns on Dec. 8

RKO will hold trade screenings of the second block of three Tim Holt westerns in all exchanges on Dec. 8. The three will be "Land of the Open Range," "Come on Danger" and "Thundering Hoofs." The single exception is St. Louis, where the screening will be held on Dec. 9.

Legitimate Play Booked

COLUMBUS, O., Nov. 18. — The RKO Grand, first run house here, will present "Life With Father" the week beginning Dec. 1. This is the first venture of the kind for this house.

Slesinger to Hollywood

Stephen Slesinger flew to Hollywood yesterday to confer with Frank Orsatti, his Coast representative, on "Maxwell House," which Slesinger has tied up for novels and films.

Newsreel Parade

THREE important events are re-ported in the midweek issues, th signing of the new neutrality law the arrival in Washington of Japanese Envoy Karusu, and the coa strike crisis. Football games also ar given attention. The reels and contents follow:

MOVIETONE NEWS, No. 21—Japanes envoy arrives. Neutrality bill signed. Coa strike crisis. Bridge over Pit River, Cali fornia, completed. Oklahoma town name Gene Autry. Michigan grandmother pilot airplane. Army nurses at Fort Bragg, N. C Girls in California. Swordfish saddled a Marineland, Fla. Notre Dame vs. North western, Minnesota vs. Iowa, Texas Chris tian vs. Texas, football.

NEWS OF THE DAY, No. 219—Coa crisis. Japanese envoy arrives. Ship-armin bill passes. Notre Dame-Northwestern Michigan-Columbia, Texas-Texas Christian football.

PARAMOUNT NEWS, No. 24—Coa strike. Neutrality Act revised. Japanese en voy here; Premier Tojo in Tokyo; Briton evacuate Yokohoma; U. S. Marines qui Shanghai. Football: Notre Dame-North western, Minnesota-Iowa, Michigan-Colum bia.

RKO PATHE NEWS, No. 24.—Coal crisi Japan's envoy in Washington. Block part for soldiers in Milwaukee. Complete bridg over Pit River, California. Michigan-Col umbia, Notre Dame-Northwestern footbal

UNIVERSAL NEWSREEL, No. 33—Japanese envoy arrives. Neutrality bi passes. Coal strike. Anti-strike legislatio urged in Washington. Finish bridge ove Pit River, California. Screen comedians i Washington. Football: Washington State Stanford, Notre Dame-Northwestern, Min nesota-Iowa, Michigan-Columbia.

Trade Board Will Study KRS Selling

LONDON, Nov. 18.—Sir Andrew Duncan, president of the British Board of Trade, declared in the House of Commons today in response to questions that he would watch the trade practices of distributors in the interest of independent exhibitors.

Several members raised the point that Kinematograph Renters Society members book only on a percentage basis, which, it was implied, is harmful to exhibitors. Duncan contradicted the percentage contention but agreed to watch the distributors' "combine."

The KRS has called an emergency meeting for tomorrow to consider the new situation brought about by the necessity of conserving film stocks.

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Guns,' Cugat Philadelphia Best, $18,900

PHILADELPHIA, Nov. 18.—Business as sluggish in spite of the influx of convention visitors and out-of-town fans for the football games. Among the first runs, "Great Guns" and Xavier Cugat's orchestra took $18,900 at the Earle. "Sergeant York" continued big at the Aldine with $13,000 for its fourth week.

Estimated receipts for the week ending Nov. 11-14:

"Sergeant York" (W. B.)
ALDINE—(1,400) (46c-57c-75c) 7 days, 4th week. Gross: $13,000. (Average, $9,000)
"Hold Back the Dawn" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd week. Gross: $3,300. (Average, $2,400)
"Unfinished Business" (Univ.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $13,800. (Average, $13,000)
"Great Guns" (20th-Fox)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Xavier Cugat's orchestra, Carmen Castillo, Lina Romay, Miguelito Valdes, Ken Christy Choir, Raul and Eva Reyes, and Hal Sherman. Gross: $18,900. (Average, $14,000)
"Mystery Ship" (Col.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Radianna, Nonita Salici's Puppets, Gae Foster Roxyettes and Billy Klaiss' orchestra. Gross: $7,100. (Average, $6,900)
"You Belong To Me" (Col.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $13,000)
"One Foot in Heaven" (W. B.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $6,000. (Average, $3,000)
"The Maltese Falcon" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,800. (Average, $4,500)
"Sundown" (U. A.)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days. Gross: $13,500. (Average, $14,000)
"International Squadron" (W. B.)
STANTON—(1,700) (35c-46c-57c) 7 days, 2nd week. Gross: $5,000. (Average, $4,500)

Baltimore Down But 'York' Hits $21,000

BALTIMORE, Nov. 18. — Holiday shopping is already nicking into grosses. Outstanding for the week was "Sergeant York" in a fourth week, taking $21,000 at the Stanley.

Estimated receipts for the week ending Nov. 13:

"The Feminine Touch" (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $11,000. (Average, $10,000)
"Appointment for Love" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $10,500. (Average, $9,000)
"Week-End in Havana" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 6 days, 3rd week. Gross: $7,000. (Average, $7,000)
"Sergeant York" (W. B.)
STANLEY — (3,280) (40c-44c-55c-66c) 7 days, 4th week. Gross: $21,000. (Average, $12,000)
"Little Foxes" (RKO)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. Stage show featuring Ben Yost's New Yorkers; Don Rice, Jeanne Brideson and others. Gross: $13,000. (Average, $14,000).

Quiz Bioff, Browne On Fines Collection

William Bioff and George E. Browne were examined Monday by Federal Judge Henry W. Goddard as to their personal property in an effort by the Government to determine their ability to pay their $20,000 fines imposed on each by Federal Judge John C. Knox. Assistant U. S. Attorney Martin Klein, who conducted the examination, declined to comment, stating that the examination under the law is not a matter of public record.

Reviews

"They Died With Their Boots On"

(Warners)

Hollywood, Nov. 18

THE story of General George Armstrong Custer, U. S. Army cavalry hero extraordinary, is told in epic proportions in Warners' "They Died With Their Boots On." Filmed on a grand scale, and with great attention to detail as well as to spectacle, the picture traces Custer's life from his start as a West Point plebe, through the Civil War to his death at the Little Big Horn in Dakota Territory.

It is a splendid production in all departments. Moving, gripping and leavened with comedy it assumes important stature among action pictures. Errol Flynn as Custer and Olivia de Havilland as his wife are starred. Supporting them is an excellent cast headed by Arthur Kennedy, Charley Grapewin, Gene Lockhart, Anthony Quinn, Stanley Ridges, John Litel, Walter Hampden, Sydney Greenstreet, Regis Toomey, Hattie McDaniel and George P. Huntley, Jr.

Results of careful effort by Robert Fellows, associate producer, and Raoul Walsh, director, are much in evidence. The picture flows, both in the sweeping scenes and in the counterpoints, so that the running time does not seem overlong. Flynn and Miss de Havilland deliver perhaps their best performances to date. Notable in the support are Grapewin, Ridges and Huntley. Bert Glennon's camera work seldom has been equalled.

Custer is depicted as somewhat of a problem at West Point, but is graduated into the thick of the Civil War. Made a brigadier general through an error, he emerges from the war with high honors. Seeing him unhappy in his domestic life after retirement, his wife urges his erstwhile superior to restore him to duty, and he is given command of Fort Lincoln in the Dakota Territory, where he organizes the 7th Cavalry. Unscrupulous traders cause Indian trouble and through politics attempt to get Custer out of the way. The Government treaty with the Sioux, granting them the Black Hills, is imperilled, and Custer rides to his death putting down the uprising.

Running time, 137 minutes. "G."* VANCE KING

"A Missouri Outlaw"

(Republic)

THIS is conventional, entertaining Western melodrama with a little more plot than is usual. The story has two parts, both interwoven about midway through the film. One concerns racketeers preying on local diarymen, while the other has to do with the son of the town's sheriff, accused of murder in another town.

Don "Red" Barry and Noah Berry are son and father, respectively, both giving good performances. Lynn Merrick, Paul Fix, Al St. John, Frank La Rue, Ken Duncan and others are in support. George Sherman directed and was associate producer.

The picture begins with a barroom brawl and subsequent sequences bring in a good deal more action, which is staged convincingly enough. The yarn takes a familiar twist, when after the murder of his father, Barry, accused also of this, tracks down four suspects individually. The racketeering is thus checked and Barry is cleared of all charges. The photography is fine.

Running time, 58 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

"Frightened Lady"

(J. H. Hoffberg)

THE Edgar Wallace mystery yarn of the title has lost some of its original flavor in its transition to the screen. The presentation is hardly equal to other British films of the type which have given mystery fans here to expect the utmost in suspense and mystery entertainment generally.

The picture does have its merits, however, The story is drawn out, but it has certain unusually interesting features that make it worth consideration especially where murder and mystery pictures have proved worthwhile. Marius Goring, Penelope Dudley Ward and Helen Hay are the principals in the all-British cast. S. W. Smith produced and George King directed.

Running time, 75 minutes. "A."* EUGENE ARNEEL

**"A" denotes adult classification.*

Book Play in Seattle

SEATTLE, Nov. 18.—"The Man Who Came to Dinner" has been booked for a week's run at the Metropolitan Theatre here beginning Nov. 30.

Altec Promotes Peterson

Altec Service Corp. has promoted D. A. Peterson, former Philadelphia supervisor, to branch manager there, it was announced yesterday.

'York' Draws Big $26,000 to Lead Chicago

CHICAGO, Nov. 18.—Armistice Day helped greatly at the box-office. "Sergeant York" at the State-Lake continued well in its third week with $26,000. "You'll Never Get Rich" and Jimmy Dorsey's band took $42,000 at the Chicago.

Estimated receipts week ending Nov. 13:

"Hold Back the Dawn" (Para.)
APOLLO—(1,400) (30c-40c-59c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)
"You'll Never Get Rich" (Col.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Jimmy Dorsey Band. Gross: $42,000. (Average, $32,000)
"The Little Foxes" (RKO)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,000. (Average, $5,000)
"Ice-Capades" (Rep.)
ORIENTAL—(3,200) (25c-35c-40c-50c) 7 days. Stage: Major Bowes unit & Blackstone, Magician. Gross: $21,000. (Average, $16,000)
"It Started With Eve" (Univ.)
"Burma Convoy" (Univ.) 6 days, 2nd week
"All That Money Can Buy" (RKO)
"Swing It, Soldier" (Univ.) 1 day
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $12,000. (Average, $13,000)
"The Married Bachelor" (M-G-M)
"Down in San Diego" (M-G-M) 5 days
"New York Town" (Para.)
"Badlands of Dakota" (Univ.) 2 days
ROOSEVELT—(1,500) (30c-40c-59c) 7 days. Gross: $11,000. (Average, $11,000)
"Sergeant York" (W. B.)
STATE-LAKE—(3,700) (40c-44c-55c-75c) 7 days, 3rd week. Gross: $26,000. (Average, $14,000)
"Lydia" (U. A.)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days, 2nd week. Gross: $11,000. (Average, $14,000)

'Falcon' St. Louis Winner at $14,700

ST. LOUIS, Nov. 18.—"The Maltese Falcon" on a double bill took $14,700 at the Fox, and "The Chocolate Soldier" drew $15,000 at Loew's. Grosses were helped considerably by a big Armistice Day.

Estimated receipts for the week ending Nov. 13:

"One Foot in Heaven" (W. B.)
"Sing Another Chorus" (Univ.)
AMBASSADOR — (3,190) (30c-40c-50c) 7 days. Gross: $11,000. (Average, $11,500)
"The Maltese Falcon" (W. B.)
"International Squadron" (W. B.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $14,700. (Average, $11,000)
"Swamp Water" (20th-Fox)
"Great Guns" (20th-Fox)
MISSOURI—(3,400) (30c-40c-50c) 7 days. Gross: $4,300. (Average, 4,000)
"Mob Town" (Univ.)
"Flying Cadets" (Univ.)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $3,400. (Average, $2,600)
"The Chocolate Soldier" (M-G-M)
"Ellery Queen, the Perfect Crime" (Col.)
LOEW'S—(3,162) (30c-40c-44c-56c) 7 days. Gross: $15,000. (Average, $13,000)

School Age Cut Rate Is Started in Phila.

PHILADELPHIA, Nov. 18.—A "teen-age" admission has been inaugurated by several independent exhibitors here, allowing a reduced adult admission to those of high school age. The policy calls for a Students Club to be set up for the patrons in the age group, presentation of a membership card at the box-office being required.

The plan goes into effect this week at Henry Friedman's suburban Lansdowne and has been inaugurated at Herbert Elliott's Fern Rock, Luke Gring's Erlen and at the William Goldman theatres.



" 'H. M. Pulham, Esq.' is a love story of universal appeal . . . to rank as outstanding grosser in all situations."
—M. P. Daily

"Ace romantic drama. Powerful patron appeal. Top-notch entertainment. Powerful box-office property."
—Film Daily

"It's got something for everybody. Will bring maximum attendance."
—M. P. Herald

"Great show . . . to return important money. A solid hit."
—Hollywood Reporter

" 'Design for Scandal' packed with marquee personalities . . . entertainment for masses and classes. 'Design for profits' could be title."
—M. P. Herald

"A humdinger . . . has everything that makes for entertainment for all types of patrons." **—M. P. Daily**

"Bright as a new dollar. Points to profitable business in all showings."
—Boxoffice

"Sparkling romp will be reflected in bullish box-office returns. Money-maker in all situations."
—Film Daily

"For profitable biz." **—Variety**

" 'Tarzan's Secret Treasure' . . . th best of the Tarzans." **—M. P. Herald**

"Sure-fire. A box-office treasure."
—Hollywood Reporter

"Laughs, thrills, excitement. Will pul the crowds to the box-office."
—Showmen's Trade Review

"Makes all preceding episodes look like a quiet Sunday afternoon."
—Boxoffice

"Tarzan's latest is grand make-believe. Roll out the plush carpet for patrons from 7 to 70." **—Film Daily**

"A natural for the younger generation, and the elders." **—M. P. Daily**

BLOW RINGS AROUND YOUR OPPOSITION IN DECEMBER!"

"KATHLEEN"

SHIRLEY TEMPLE in "KATHLEEN" with HERBERT MARSHALL, LARAINE DAY, Gail Patrick, Felix Bressart. Screen Play by Mary C. McCall, Jr. Directed by HAROLD S. BUCQUET. Produced by GEORGE HAIGHT. A Metro-Goldwyn-Mayer Picture.



athleen' should be one of the 's biggest money-makers."
—Showmen's Trade Review

irley displays all the talent and gnetism that made her the No. 1 -office attraction." **—Boxoffice**

astly appealing; ranks among top nan interest yarns for all fans."
—Film Daily

et ready to rub your eyes, ladies and tlemen of show business, and your ms, when you meet 'Kathleen'."
—M. P. Daily

udience laughed and cried with Miss mple . . . this is precisely what the x-office doctor ordered."
—M. P. Herald

Minn. Houses Seek Films to Avoid Closing

(Continued from page 1)

weeks. The companies are Paramount, United Artists, RKO, Warners and 20th Century-Fox.

The exhibitor committee plans to confer with the distributors and all holders of first run contracts and circuits operating first runs in an effort to obtain an agreement to waive normal clearance over subsequents, in order to clear product immediately for the houses threatened with closing for lack of film.

Many houses have completely used up the available product already, it was stated. If they are forced to wait three weeks to three months longer, when the product now being sold by the five companies would normally become available, they would be forced to close, in the opinion of some exhibitor observers.

It is believed that efforts will be made to clear the product most rapidly to houses in the greatest danger of closing, and that agreements will be made generally by houses so benefitted not to take advantage of the situation by advertising the earlier availability of the product during the emergency period.

Ask 20th-Fox Reply In Pickwick Action

NEW HAVEN, Nov. 18.—Plaintiff's interrogatories in the Pickwick, Greenwich, $5,452,575 anti-trust suit against the eight major companies, will require an answer by 20th Fox-to the U. S. District Court here by Nov. 28.

Information is sought on the corporation and whether 20th-Fox has since November, 1929, been a stockholder of Skouras Theatres Corp., Fox Metropolitan Playhouses, Inc., Metropolitan Playhouses, Inc., National Theatres Corp., or Fox West Coast Theatres Corp. Complete information is also sought on contracts with the Embassy and Capitol theatres, Port Chester, N. Y., and what the clearance and availability schedules were for these houses and for the Pickwick between September, 1931, and August, 1933, and whether the Capitol and Embassy had clearance and protection over any theatre in Connecticut other than the Pickwick since November, 1929.

Open Two Army Houses

BILOXI, Miss., Nov. 18.—Two motion picture theatres will open at Keesler Field next month, Capt. A. L. Shoemaker, post theatre officer, announced. The theatres, seating 1,000, will be open to all military personnel on active duty and members of their households.

Start New Training Film

HOLLYWOOD, Nov. 18.—Paramount has started production of a new War Department training film, "Cryptographic Security," dealing with codes. Joseph Youngerman is directing, under the supervision of the Research Council of the Academy of Motion Picture Arts and Sciences.

Average Arbitration Cost Put at $87.87 a Complaint

(Continued from page 1)

and stenographic work, and do not include attorney fees.

Discussing the comparatively small number of complaints, with only 129 filed to Oct. 25, Sturges said he had been informed that it is a matter of policy for at least some of the consenting companies to adjust disputes with exhibitors before they become arbitration cases.

Explains Opposition

He related that many exhibitors will have nothing to do with arbitration either because of their opposition to the decree or because they allegedly fear "retribution if they invoke their rights." A third group of exhibitors, he said, disregards arbitration because they regard it as either too slow or too costly.

Relating that the first year's cost of the industry's arbitration system will be approximately $300,000, Sturges said that when it is considered that the arbitrators work for $10 a day rather than their professional worth, and the fact that the arbitration system is really the decree enforcement agency, it induces the belief that "the industry gets very full value for its money."

The cost of defending or prosecuting contempt actions under the decree could be much more costly, Sturges suggested.

Sturges said that in cases involving the 51 awards which had been made by arbitrators to Oct. 25, the average time between filing of the complaint and the making of an award was 86 days. The shortest was 27 days and the longest 178 days. In seven cases in which appeals were decided, the average time from the filing of the complaint to the deciding of the appeal was 176 days. The shortest was 113 days and the longest 210 days. The average time between the arbitration award and the appeal decision was 92 days.

Informing his audience that the consenting companies "most generously" offered the 31 arbitration tribunals for the hearing of general commercial and industrial disputes other than those of the motion picture industry, Sturges said: "And we emphasize especially how particularly timely is this action in aid of the peaceful adjustment and settlement of disputes—coming as it does when the national defense program is being stepped up to the maximum capacity of the country. Equally timely is it that these national facilities for arbitration are being made ready to meet the demand for the many adjustments and liquidations of defense contracts and employment relations which almost certainly will accrue upon the termination of the war."

Describes U. S. Aims

Sturges detailed the Government's objectives as presented in its bill of complaint and a supplemental and amended complaint in its anti-trust suit against the consenting companies. He explained the provisions of the consent decree and left to his listeners whatever conclusion they chose to draw concerning "the efficacy of the consent decree as a process of law making and law enforcement, and the potentialities of arbitration as an instrumentality of law enforcement."

Dismiss Counter Suit on 'Lynton'

N. Y. Supreme Court Justice Ferdinand A. Pecora has dismissed a $50,000 counter-claim of Edward Sheldon and Margaret Ayer Barnes against Paramount, Gilbert Miller and Charles Frohman, Inc.

The counter-claim was raised in a suit for $67,608 damages brought by Guthrie McClintic against Sheldon and Miss Barnes with the plaintiff claiming that amount as one-half of a recovery in a successful plagiarism suit over the film, "Letty Lynton," brought by the present defendants against Loew's, Inc.

McClintic claims that he owned one-half the film rights to the plagiarized play, "Dishonored Lady." Paramount, Miller and Charles Frohman, Inc., along with McClintic, were charged with producing a British version of the play without the consent of Sheldon and Barnes, co-authors.

Three Firms Chartered

ALBANY, Nov. 18. — Three new firms have been chartered here. They are: Buckeye Theatre Corp., by David M. Broudy, F. P. Koppel and S. G. Myers; Telemanagement, Inc., by Herbert Scheftel, Alfred G. Burger and Richard Reiss, and Budco, Inc., by Melvin B. Lambert, Marion Pitcher and Bertha Cohen. R & N Amusement Co. has been dissolved.

Exploitation Men to Attend Metro Forum

COLUMBUS, O., Nov. 18.—In addition to H. M. Richey, in charge of exhibitor relations, William R. Ferguson, exploitation manager, E. K. O'Shea, central division manager, John J. Maloney and H. P. Wolfberg, district managers, the following exploiteers are expected to attend the M-G-M exhibitor forum at the Deshler Wallick here Nov. 25: C. C. Deardourff, Cleveland; Charles Barron, Pittsburgh; Warren A. Slee, Detroit; Jack Gilmore, Buffalo; Irving Waterstreet, St. Louis; John E. Watson, Cincinnati; Ted Morris, Indianapolis; Todd Ferguson, Memphis; James Burge, Oklahoma City and Claude Morris, Kansas City.

Indiana Exhibitors Reelect All Officers

(Continued from page 1)

ecutive secretary, and Christine Kirk, secretary.

Discussion during the day centered on Allied's unity program. The delegates heard addresses by Abram F. Myers, chairman and general counsel of Allied States and Jacob Weiss, ATOI counsel.

The annual banquet tonight concluded the convention events.

Drop Saturday Matinees

INDIANAPOLIS, Nov. 18.—The Esquire is dropping Saturday matinees.

Wanger Return to U.A. As Producer Under Discussion

(Continued from page 1)

the negotiations for the new United Artists management late last week plans to return to the Coast in about a week. He is scheduled to open negotiations there with several producers who may join the United Artists ranks within the next few months.

Few, if any, changes in the company's executive sales roster are anticipated immediately following Sears assumption of his new post.

Reports persist that Carl Leserman, assistant to Sears at Warners for many years, will become associated with the company in the near future but the post slated for him appears to be uncertain at this time. Reports indicate that he will either become assistant to Sears in United Artists, or will be named Western sales manager in the event Haskell Masters is transferred to his former Canadian sales post for the company, which has been suggested as a possibility. It is also known that Masters has been offered the post of general manager of the Odeon Circuit in Canada and if he accepted, Leserman, presumably would take over the Canadian as well as the Western sales territory.

George L. Bagnall, newly appointed head of United Artists' production left for the Coast yesterday to assume his new duties.

New Yorkers to Be At Dinner to Silver

(Continued from page 1)

ger here, who was recently promoted to Pittsburgh zone manager.

S. H. Fabian is general chairman for the affair and Moe Grassgreen, 20th Century-Fox local branch manager, is treasurer. The general committee consists of L. R. Golding, local Fabian representative; C. J. Latta, local Warners' zone manager; C. A. Smakwitz, Warners' assistant zone manager; Clayton Eastman, Paramount branch manager; Paul Krumenacker, Warner branch manager; J. Myer and Louis Schine of the Schine Circuit; M. J. Kallet of Kallet Theatres; Samuel Rosen, Fabian Theatres; H. L. Ripps, M-G-M branch manager; Joseph Miller, Columbia branch manager; Jerry Spandau, Universal branch manager; Max Westebbe, RKO branch manager; Sidney Lehman, Buffalo committee representative; Max F. Iedman, local Warners' booker; Harry Berinstein, Berinstein Theatres, Abe Stone and Neil Hellman, independent exhibitors.

Hoffberg Gets 5 Films

Hoffberg Productions, Inc., has acquired from Walter Futter rights for New York State and northern New Jersey on "Cavalcade of Laughs," and four other films, "Lady in the Morgue," "Danger on the Air," "The Westland Case" and "The Black Doll."

Para. Buys Wylie Story

HOLLYWOOD, Nov. 18.—Paramount has announced the purchase of I. A. R. Wylie's story, "Over the Hill," which will be filmed as "Absent Without Leave."

Philco Retransmits New York Telecasts

Philadelphia, Nov. 18.—WPTZ, the Philco television station, is picking up programs from WNBT, NBC station in New York, and retelecasting them. About five hours weekly are being retransmitted as part of a special test.

The programs are picked up off the air with a receiver. No telephone line or radio relay is used. This method was employed by the General Electric station in Schenectady but was discontinued when that station went off the air early last Summer.

F.C.C. Authorizes Power Increases

WASHINGTON, Nov. 18.—The FCC has authorized Stations WNBC, New Britain, Conn., and KGER, Long Beach, Cal., to increase their power from 1,000 to 5,000 watts.

Action on a number of other applications was suspended until after hearings which were ordered in the cases of the McKeesport Broadcasting Company, seeking a construction permit for a new 960-kilocycle, 1,000-watt day station at McKeesport, Pa., and Stations KWFT, Wichita Falls, Tex., and WROL, Knoxville, Tenn., asking for increases of night power to 5,000 and 1,000 watts, respectively.

Seeks Change of Frequency

Station KCMO, Kansas City, has applied for a change of frequency from 1,480 to 810 kilocycles and increase in power from 1,000 watts night, 5,000 watts day, to 10,000 watts night, 50,000 watts day.

Applications also have been received from WTMJ, Milwaukee, for increase in power from 5,000 to 10,000 watts; KXA, Seattle, for increase of power from 1,000 to 10,000 watts and extension of time from limited to unlimited; WHEC, Rochester, for change of frequency from 1,460 to 790 kilocycles and increase of power from 500 watts night, 1,000 watts day, to 5,000 watts; WSPA, Spartanburg, S. C., for increase of night power from 1,000 to 5,000 watts; WMC, Memphis, for increase of day power from 5,000 to 10,000 watts, and WAPO, Chattanooga, for increase of night power from 1,000 to 5,000 watts.

Buys Four Theatres

TORONTO, Nov. 18.—R. S. Allen of Toronto, who has launched an independent theatre circuit in Ontario, has purchased the four M. J. O'Brien theatres in the Ottawa district formerly operated by the Ottawa Valley Amusement Co. The group, located at Arnprior, Almonte, Renfrew and Pembroke, has been added to his first acquisition, the Queen's Theatre at Hespeler, in western Ontario.

Comerford Paper Out

SCRANTON, Pa., Nov. 18. — The Comerford *Reporter*, house organ of the Comerford Circuit, has reappeared for the annual Theatre Managers drive in honor of Y. Frank Freeman, Paramount vice-president. Harold Bell returns as editor, assisted by Mary Nealon and William Graff.

'Times' to Furnish WMCA With News Periods Daily

(*Continued from page* 1)

copy and furnish it to the station and the programs will not be available for sponsorship. A special staff will be employed by the *Times* for the purpose and the programs will come direct from the *Times'* newsroom.

"The decision of the *New York Times* to establish a radio bulletin service every hour on the hour is due primarily to a desire to keep the *Times* reader in particular and the newspaper reader in general up to the minute with the news," according to a statement by Arthur Hays Sulzberger, publisher.

Edward J. Noble, owner of WMCA, hailed the move as the latest in a series of public service programs offered since he took over the station.

Will Drop Non-Commercials

The station has more than 30 sponsored news periods. What the ultimate fate of these programs will be was not disclosed yesterday, but station officials said they will continue on the same basis, as many listeners may prefer a 15-minute summary in the middle of the day or evening. The reaction of the sponsors to the *Times'* sustaining broadcasts cannot be judged until the programs have been tested by actual operation over the air, it was pointed out. All sustaining news programs, except those of the *Times*, will be dropped after Dec. 1, it was said, and arrangements have been made to shift commercial shows which start on the hour.

The *Times* was interested in establishing an FM station early this year but the matter was dropped about the time the FCC started its inquiry into joint ownership of newspapers and radio.

WOR to Dedicate FM Transmitter Nov. 30

W71NY, the WOR FM station, will dedicate its new 10,000 watt transmitter Nov. 30, with a special program featuring Mayor LaGuardia, Maj. Edward H. Armstrong, developer of the FM system, and army and navy officials. The new transmitter will have a radius of approximately 52 miles from its location at 444 Madison Avenue.

Chicago added its third FM station this week when W67C, owned by CBS, went on the air. In Philadelphia, W53PH, owned by WFIL, started operations last week. Felix Meyer has been named program supervisor of W53PH.

'Bolivar' Completed

MEXICO CITY, Nov. 18.—"Simon Bolivar," story of the Liberator of Venezuela, has been completed here by Miguel Contreras Torres, veteran producer-director, and Jesus Grovas, president of Grovas & Co., former Paramount manager here. This is the longest picture ever made in Mexico, running 25 reels.

Booker Shifts Post

NEW ORLEANS, Nov. 18.—Herbert Schlesinger, first booker at the M-G-M exchange here, has resigned to take a post with 20th Century-Fox in Charlotte.

No Criticism Seen of War News Programs

WASHINGTON, Nov. 18.—Investigation of the manner in which war news has been handled has given no cause for criticism of broadcasters, it has been disclosed by Federal Communications Commission Chairman James L. Fly.

Fly said the inquiry, ordered by the Senate Interstate Commerce Committee some months ago during its hearings on the White Resolution, was nearing completion and a report might be submitted before the end of the year.

The investigation has been a tremendous job, he said, involving the sending of questionnaires to all station operators and intensive studies by the commission staff. While he could not speak for the commission, he explained, it was his own view that little had been developed for which the industry could be criticized.

Transferred by CBC

OTTAWA, Nov. 18.—Reginald Horton of the CBO staff of the Canadian Broadcasting Corp. here has been transferred to Toronto, and has been replaced here by James H. Book of Sudbury, Ont.

Independent Outlets Form Organization

Chicago, Nov. 18.—A permanent organization for Independent Broadcasters, Inc., is being worked out here today and tomorrow in a meeting at the Drake Hotel of representatives of 150 independent stations affiliated with networks.

Eugene C. Pulliam, president of WIRE, Indianapolis, is temporary chairman, and William J. Scripps, WWJ, Detroit, temporary secretary. Copyright problems have been discussed with Ascap representatives and others. Officers will be elected tomorrow. A drive against super-power stations is reported planned.

NBC Representative Probes Nazi Air Ban

NBC headquarters here said that Charles Lanius, head of the continental European staff of the network, had been sent to Berlin to investigate the ban of all American radio correspondents by German authorities. Lanius, formerly in Berlin, now makes his headquarters in Berne, Switzerland.

Form Producing Firm

SACRAMENTO, Nov. 18.—Incorporation papers have been filed by A. K. Barbee Productions to make pictures in Hollywood. Directors will be A. K. Barbee, J. Stanley Mullin and George R. Richter, Jr.



To prevent obscure dislocations from developing into major breakdowns involving heavy replacement expense, every Altec service man carries ultra-sensitive electrical instruments (30 times more sensitive than the human ear) with which he detects troubles in their incipient stages.

The threat is real, but you can meet it this intelligent way

Scarcer, with every passing day, become the metals on which the operation of your projection room depends. The threat is real, but you can meet it this intelligent way: put the Altec Service man *on your side*. Entrust him with the job of getting the most—the fullest possible life-service—out of every part in the equipment that you now possess. With every passing day, an Altec Service agreement becomes more essential to an exhibitor's business security.

ALTEC
SERVICE CORPORATION
250 West 57th St. • New York City

ALTEC SERVICE SAVES, PROTECTS, PRESERVES THE EQUIPMENT . . . . . AND ALL ITS PARTS



"RISE AND SHINE" HITS A HIGH SPOT! CATCHY MUSIC, LOTS OF YOUTH AND LIFT! A FUN CAST THAT WOULD ATTRACT ATTENTION FOR ANY FILM! SHOULD HAVE AUDIENCE REELING!

—Boxoffice

"RISE AND SHINE" TOP SHOW! ADDS UP TO A SOLID HIT FOR JACK OAKIE AND A SHOWMANLY START FOR THE DEPENDABLE MARK HELLINGER!

—Hollywood Reporter

"RISE AND SHINE" HAS EVERYTHING TO COMMAND HEFTY PATRONAGE! . . . FUNNING, FOOTBALL, MUSIC, NONSENSE . . . COMEDY THAT HAS EVERYTHING!

—Daily Variety

"RISE AND SHINE" IS A TOUCHDOWN PARADE OF LAUGHS! LOADED FOR STRONG GROSSES EVERYWHERE! FILLED WITH MERRIMENT AND WILL SCORE!

—*The Film Daily*

"RISE AND SHINE" IS SPRIGHTLY, LIVELY AND TUNEFUL COMEDY WITH MUSIC . . . ELABORATE AND WELL-MOUNTED PRODUCTION . . . NAMES . . . SHOULD SUPPLY THE EXHIBITOR WITH CONSIDERABLE MATERIAL FOR EXPLOITATION!

—*Motion Picture Daily*

JACK OAKIE ★ GEORGE MURPHY
LINDA DARNELL
WALTER BRENNAN ★ MILTON BERLE
MARK HELLINGER'S
RISE and SHINE
SHELDON LEONARD · DONALD MEEK
RUTH DONNELLY · RAYMOND WALBURN
Directed by ALLAN DWAN · Produced by MARK HELLINGER
Screen Play by Herman J. Mankiewicz. Based on the Book "My Life and Hard Times" by James Thurber. Dances Staged by Herman Pan

Robin and Rainger song hits!...

"RISE AND SHINE" RIDES THE AIR-WAVES! MARK HELLINGER AS GUEST OF FRED ALLEN'S PROGRAM ON CBS! LINDA DARNELL AS GUEST OF ILKA CHASE'S PENTHOUSE PARTY ON NBC! BOTH GUESTS OF THE "TREASURY HOUR" PROGRAM NOV. 25! MILLIONS OF LISTENERS FROM COAST TO COAST!

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 101 NEW YORK, U.S.A., FRIDAY, NOVEMBER 21, 1941 TEN CENTS

Disagreement Delays British Fund Division

Loew's Opposes Billings As Basis for Shares

Division of the $20,000,000 allowed to be withdrawn from British revenue during the ensuing 12 months by the eight major companies has been delayed due to opposition by Loew's to the formula for apportionment of the remittances among the companies, it was reported.

Seven distribution companies favor apportionment of the remittances on the same basis as last year, that is on a percentage equal to each company's share of gross billings in England for the year before.

Loew's opposed this formula last year and the question went to arbi-

(*Continued on page 4*)

Republic Acquires Bromberg Franchise

James R. Grainger, Republic Pictures president, has announced that the company has purchased the franchise agreement held by A. C. Bromberg of Atlanta for the Southeast division. Bromberg, who has been in the industry since 1906, stated that he plans to retire from business.

The Bromberg organization has distributed Republic films since the latter company's inception and held the franchise for Atlanta, Charlotte, Memphis, New Orleans and Tampa territories.

Grainger said that the personnel of the branches will remain. Bromberg, who was in New York on the deal, which was announced Wednesday, said he plans to leave shortly after the first of the year with Mrs. Bromberg for an extended tour of South America.

Masters Heads Odeon And Empire Firms

Haskell M. Masters resigned Wednesday as Western and Canadian sales manager for United Artists and will head the new Odeon Circuit in Canada and Empire-Universal Films, with headquarters in Toronto.

MOTION PICTURE DAILY reported exclusively that the Odeon post had been offered to Masters.

The resignation is effective immediately. It is believed that Carl Les-

(*Continued on page 4*)

Ascap Sets Officers' Terms to Next April

The Ascap board of directors on Wednesday voted to extend to April 1, 1942, the terms of all officers headed by Gene Buck, president.

The annual election of officers is scheduled for April 1. The board's action was taken because no election was held last April due to the radio-music 'war.'

Paramount Opens Sales Conference In Chicago Today

CHICAGO, Nov. 20.—Barney Balaban, Paramount president, and Adolph Zukor, chairman of the board, will address the company's two-day sales meeting which opens at the Drake Hotel here tomorrow. Balaban will leave for the Coast at the conclusion of the session.



Neil F. Agnew

Neil Agnew, vice-president in charge of distribution, will preside at the meeting at which general sales problems and sales plans for "Louisiana Purchase" will be discussed. The picture

(*Continued on page 4*)

20th-Fox Claims Rights to Musical

Twentieth Century-Fox has taken cognizance of reports that Vinton Freedley, producer of "Let's Face It," is offering the film rights to the play. Edwin P. Kilroe, copyright attorney of the company, has written Freedley regarding the matter, it was learned over the weekend. The musical show

(*Continued on page 4*)

Report Max Cohen to Take Squire Theatre

It is reported that the Squire Theatre, on Eighth Avenue at 44th Street, will be taken over by Max A. Cohen, head of the Cinema Circuit. The house has been closed for several months. It formerly was a part of the old Consolidated Circuit.

HOLIDAY GROSSES STRONG OVER U. S.

Business SRO On Broadway

Broadway film houses hung out the S.R.O. sign yesterday afternoon and didn't take it down until after the last show. Despite unseasonably mild weather and a record 70-degree temperature at 2:30 P. M., many of the estimated 1,000,000 persons who viewed the annual Macy parade made a full day of it at the Broadway theatres.

Business at the early shows was slow because of the two-hour parade which started at 11:45 o'clock at 106th St. and went down Broadway. By 3 o'clock, however, most houses were filled to capacity and remained so throughout the day.

The Paramount with "Skylark" and Harry James' orchestra and Ray Bolger drew an estimated $11,600 for the day. This was reportedly better than the three previous Thanksgivings.

"They Died With Their Boots On," another new picture, with Woody Herman's orchestra, brought the Strand its biggest Thanksgiving since the present policy was adopted four years ago, it was stated. The day's gross was estimated at $7,600.

'Suspicion' Opens with $19,500

At the Radio City Music Hall, "Suspicion," which opened yesterday, with the stage presentation drew an estimated $19,500, topping last year's figure by about $1,000. "Week-End in Havana" with a stage show at the Roxy garnered an estimated $10,000, about equal to last year.

"The Chocolate Soldier" at the Astor grossed an estimated $2,100. The Capitol with "Shadow of the Thin Man" and the Rivoli with "How Green Was My Valley" did a capacity business from about 3 o'clock on.

Four of the 21 legitimate theatres giving matinees reported standees, but many of the 26 shows experienced a lull in the evening. Outstanding were "It Happens on Ice" at the Center, which was packed at both performances and grossed an estimated $7,500, and "Lady in the Dark" at the Alvin, which reported 76 matinee standees and capacity in the evening.

New Product, Favorable Weather Help Many Key First Runs

Exhibitors in the 32 states observing Thanksgiving yesterday gave thanks for a healthy box-office. Few exceptions were reported last night, and these were due chiefly to bad weather. Winter roared over parts of the West and heavy rain fell in much of the South.

With strong product available, numerous key city first runs moved up their opening a day to garner the holiday trade. Football, parades and other events were counter-attractions for matinees in many cities.

St. Louis reported S.R.O. at most first runs, with business exceeding last year's. "Keep 'Em Flying" at the Fox was a standout. Downtown Providence was capacity by 4 P. M., with "Keep 'Em Flying" also here leading the parade.

Chicago, Los Angeles Big

Holdouts were the rule in Chicago's Loop. Los Angeles business was big with an array of strong product and, for the first time in years, no heavy holiday competition. Cincinnati, Indianapolis, Denver and Seattle reported matinees above normal and big night business. Boston theatres, quiet in the morning because of a parade which attracted 500,000 spectators, and football games, had a capacity rush beginning in the afternoon.

Milwaukee, where family celebrations held sway, reported first runs slightly above average and subsequents spotty. Expected good business was ruined in Buffalo by a driving rainstorm, a celebration, rodeo and football, but "International Squadron" at the Hippodrome and "Shadow of the Thin Man" at the Great Lakes held up well.

Defense Holiday Booms Baltimore

Baltimore, Nov. 20.—A holiday at defense plants today brought record attendance at downtown film houses. Mild, springlike weather helped. Most theatres opened new pictures today.

'Seventh Trumpet' Will Open Tonight

Tonight's new addition to Broadway's roster of stage plays is "The Seventh Trumpet," written by Charles Rann Kennedy. The cast includes Ian Maclaren, Peter Cushing, Carmen Mathews, A. G. Mathews, Leslie Bingham and Alan Handley. The play is a presentation of The Seventh Trumpet, Inc., of which Kennedy is the principal.

Cut British Release To Save Film Stock

LONDON, Nov. 20.—The eight major American companies here will eliminate one February release, thus effecting a saving of approximately 4,250,000 feet of film.

The decision was taken at a meeting of the Kinematograph Renters Society (distributors) following consultation with the Eastman Kodak Co. and a comprehensive survey of the shortage of film raw stock.

An all-industry conference may be held in the near future to study the present production situation and to agree on a united plan to safeguard the industry's position during the period of the war. The lead for the meeting was taken by the technicians' association.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CARY GRANT . JOAN FONTAINE
"SUSPICION"
An RKO-RADIO Picture
ON THE GREAT STAGE: "NICE GOING"
—Leonidoff's gay spectacular revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

CARMEN CESAR ALICE JOHN
MIRANDA-ROMERO-FAYE-PAYNE
'WEEK-END in HAVANA'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
GARY COOPER
as "SERGEANT YORK"
Joan Leslie—Walter Brennan

5th Big WEEK
WALT DISNEY'S
DUMBO
at the BROADWAY 53rd St. & B'way CI 6-5252
Continuous Performances Popular Prices Doors Open 9:30 A. M.
Mezz. Seats Reserved
IN TECHNICOLOR

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows.

Personal Mention

HERMAN ROBBINS has gone to Florida for two weeks.

•

EDWARD M. FAY has returned to Providence after a visit here.

•

FRANK C. WALKER spent Thanksgiving in town.

•

J. J. FITZGIBBONS, president of Famous Players Canadian, has returned to Toronto.

•

FRANK SCULLI, M-G-M salesman in Philadelphia, is the father of a daughter born to MRS. SCULLI this week.

•

H. E. MCFARLAND, manager in Brazil for Western Electric Export Corp., has arrived for a visit of several weeks.

SAMUEL GOLDWYN is expected from the Coast Monday.

•

RUBE JACKTER will leave for Memphis Sunday to confer with M. A. Lightman.

•

MAX J. WEISFELDT will begin a tour of Columbia exchanges on Monday.

•

MORTY GERBER of Warners and MARJORIE LOTH have announced their engagement.

•

W. R. WIDENOR, Philadelphia supervisor for Altec Service, has been given a leave of absence to do defense work.

•

NORMAN H. MORAY is expected back Monday from the Midwest.

'Flying' Given Big Opening in Detroit

DETROIT, Nov. 20.—Two mass ralllies, a parade and a flight of Army planes over the city featured the day's activities here yesterday as Universal's Abbott and Costello film, "Keep 'Em Flying" opened at the Fox Theatre.

The comedy stars, and Carol Bruce and Dick Foran, of the cast, and Arthur Lubin, director, attended. Army Air Corps recruits were sworn in at a City Hall rally, with Mayor Edward J. Jeffries welcoming them, and later in the day a defense rally was held, followed by a parade of motorized military equipment.

Army planes flew over the city in a blaze of anti-aircraft lights before the opening. Army cars took the stars and visiting newspaper men to the theatre, where the premiere of the film was preceded by a half-hour broadcast over the Michigan state network of NBC.

'Flying' at Criterion Wednesday

"Keep 'Em Flying" is scheduled to open at the Criterion on Broadway next Wednesday.

M-G-M to Screen Six Pictures in December

M-G-M has set dates for trade showings of six new films in the 31 exchange centers between Dec. 2 and 16. The showings are as follows: Dec. 2, "The Vanishing Virginian" and "Dr. Kildare's Victory"; Dec. 9, "Johnny Eager" and "Babes on Broadway"; Dec. 16, "Mr. and Mrs. North" and "The Bugle Sounds."

Odeon Year Profit Put at $2,573,148

LONDON, Nov. 20.—The Odeon Circuit has reported gross profit for the year ended June 21, last, of £643,287 (approximately $2,573,148). A total of £79,470 was appointed for ARP and War Damage Act contributions, and £96,892 (about $387,568) was carried forward.

Canada Circuit Dividend

MONTREAL, Nov. 20.—Confederation Amusements, Ltd., has declared a dividend of $4 payable Dec. 18 to shareholders of record Nov. 29.

Olive President of New ITO in Capital

WASHINGTON, Nov. 20.—Independent Theatre Owners of the District of Columbia, Inc., is the name of a new organization of local exhibitors. Founded for the purpose of presenting a front in tackling problems of municipal regulation, the group has elected Charles Olive as president. Abe Tolkins is vice-president; Ashley Abendschein, secretary, and Lloyd Wineland, treasurer.

Charter members of the ITO include Harry Bachman, Louis Bernheimer, Frank Storty, Sidney Lust, Ike Notes, Henry Hiser, Abe Lichtman, Samuel Ashman, Fred S. Kogod, E. Lawrence Phillips, Urie Hollingsworth and Don Freeman. Samuel M. Boyd is general counsel.

Plans have been drafted for establishment in the near future of a central information bureau, which will be a clearing house on all matters of mutual interest.

Hague Resigns Post In Canada Pioneers

TORONTO, Nov. 20.—Clair Hague yesterday relinquished the presidency of the Canadian Picture Pioneers which he has held for the past two years. His resignation was announced at the annual meeting, attended by 60 members of the organization.

The following directors were elected: Hague, Syd Taube, Arch Laurie, Oscar Hanson, Ray Lewis, Harry Alexander, Leo M. Devaney, Jack Arthur, Ed H. Wells, Ben Cronk and Charles Mavety. The directors will meet next week to elect officers.

J. J. Fitzgibbons, head of Famous Players Canadian, and Hon. Earl Lawson were speakers at the meeting. The annual "frolic" of the organization was cancelled because of the war.

U. A. Signs Hecht To Make 'G-String'

United Artists has signed Ben Hecht to produce "The G-String Murders" as the first picture under its production arrangement, it was announced. Hecht's contract also calls for him to write and direct the film. The story will be based on Gypsy Rose Lee's murder mystery novel, film rights to which are reportedly owned by David O. Selznick.

Urges School Film For Sex Teachin

PHILADELPHIA, Nov. 20.—Extensi use of motion pictures in pub school to teach children concerni love, sex and marriage, was urg by Judge Lois Mary McBride of t Pittsburgh County Domestic Cou in an address yesterday at the annu meeting of the Philadelphia Moti Picture Forum at the Bellevue-Str ford Hotel.

Recognizing the screen as s in importance only to the printi press, she said the films could be potential force for good as a mea of education for a better and strong family life, a unit essential for re democracy. While admitting th educating adolescents for marriage "a job of the home," she declared th a second-best solution was to use m tion pictures in schools to train you people "to be married and stay ma ried."

Charges Films with Laxness

She accused the screen of contribu ing to juvenile deliquency, increasi divorces among young people and fo tering a moral laxness among adole cents.

At the meeting, attended by ma local exhibitors in addition to t 500 members of the Forum, Judg McBride urged the women to can paign for better type of films for chi dren and to "plan the movie liv of the children." She declared th until mothers insist that the scree deliver the proper variety of scree entertainment, the mothers must a as family film censors, shoppers a guides for their children.

Arthur Beach, editor of the N tional Board of Review Magazin also addressed the meeting, descri ing some of the recent picture r leases.

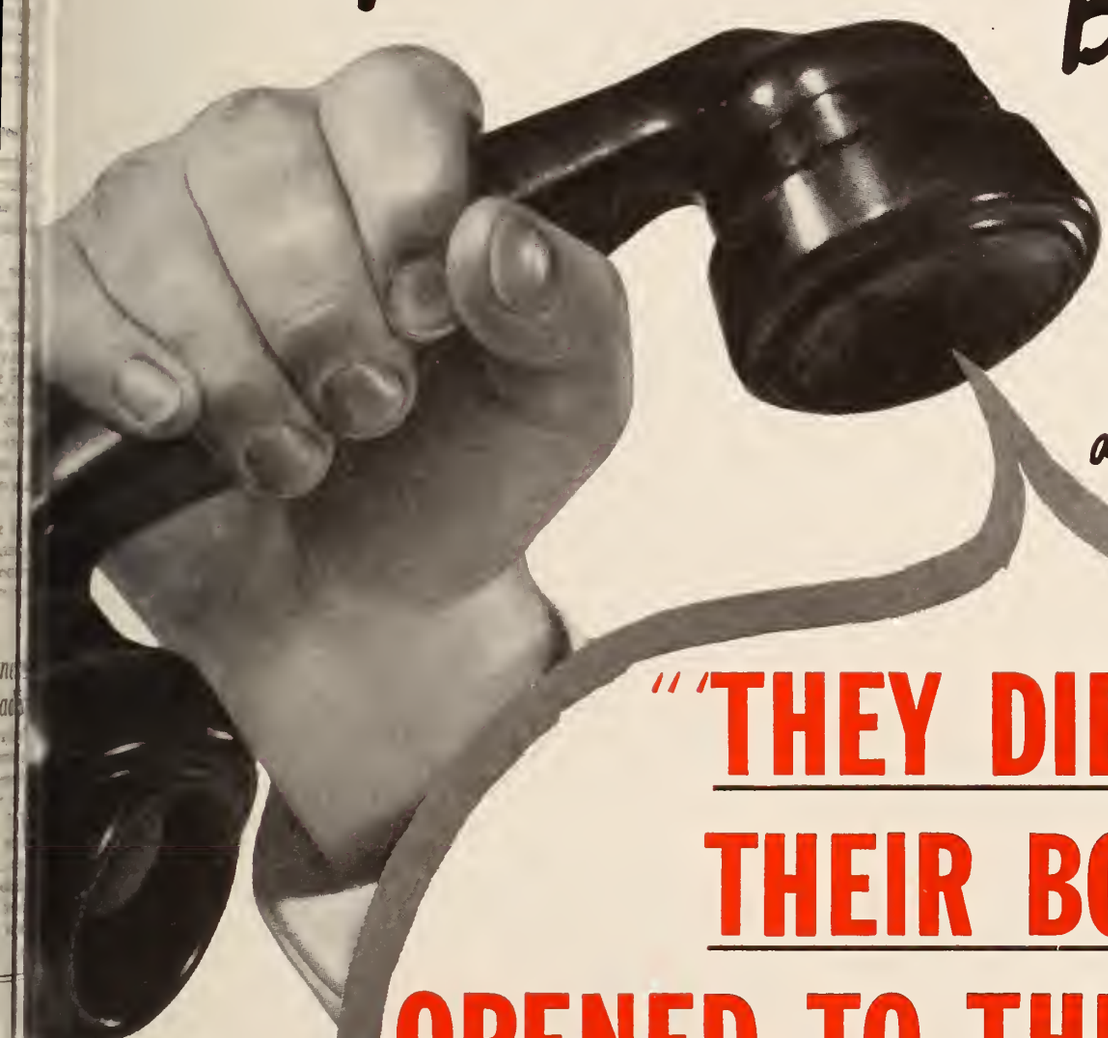
Taylor Forms Twine Company in Canad

TORONTO, Nov. 20.—N. A. Taylo general manager of 20th Centu Theatres, has incorporated the ente prise under company charter Twinex Century Theatres Corp. T group of 40 theatres, affiliated wit Famous Players Canadian Corp., o erated with partnership and poolin contracts although it had not bee legally formed as a company, it wa stated.

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LISTEN!

We have a call for you from New York, Albany, Washington, Milwaukee, Philadelphia, Bridgeport, New Haven, Springfield, and Hartford!"



"'THEY DIED WITH THEIR BOOTS ON' OPENED TO THE BIGGEST THANKSGIVING BUSINESS IN WARNERS' HISTORY!"

So you can imagine what it'll do for Xmas!

ERROL FLYNN
LIVIA DeHAVILLAND
in
HEY DIED WITH THEIR BOOTS ON"
with
HUR KENNEDY • CHARLEY GRAPEWIN
GENE LOCKHART
Directed by RAOUL WALSH
Original Screen Play by Wally Kline and
Aeneas MacKenzie • Music by Max Steiner

NEW SEASON! NEW BOXOFFICE HIGHS!

Network Affiliates Organize, Pulliam First President

CHICAGO, Nov. 20.—The Association of Network Affiliates, Inc., was formed here at a two-day meeting at the Drake Hotel by representatives of nearly 100 independent stations affiliated with networks. Initial steps were taken to organize a drive against permitting super-power operation by existing clear channel stations in excess of 50,000 watts.

The organization holds that an increase in power beyond that point would create a monopoly of broadcasting power in the hands of a few, so that the independents would be unable properly to serve their communities. A legislative committee was named to handle that and other matters. The organization has pledged itself to cooperate with the FCC. Questions involving Ascap contracts with local stations were clarified.

Taft Named Vice-President

Eugene C. Pulliam, WIRE, Indianapolis, was elected president to serve until the first annual meeting in April, probably here. Hulbert Taft, Jr., WKRC, Cincinnati, is vice-president. The board of directors, to serve until April, includes: Red Network affiliates, Ed Craney, KGIR, Butte; W. J. Scripps, WWJ, Detroit, and Pulliam. Blue Network affiliates, Ronald Woodyard, WING, Dayton; Luther Hill, KRNT, Des Moines, and E. J. Brennen, KOV, Pittsburgh. CBS affiliates, Hoyt Wooten, WREC, Memphis, John Kennedy, QCHS, Charleston, W. Va., and Edgar Bill, WMBD, Peoria, Ill. Mutual affiliates, Donald Davis, WHB, Kansas City; Taft, and Leonard Kapner, WCAE, Pittsburgh. Scripps also was elected secretary-treasurer.

Canvasmen Named By Cincinnati Club

CINCINNATI, Nov. 20.—Harris Dudelson, Al Kolitz and Albert Weinstein have been elected canvasmen of the local Variety Club. Re-elected were: Allen S. Moritz, William Devaney, Peter Niland, Saul Greenberg, James J. Grady, F. W. Huss, Nat Kaplan and Andrew Niedenthal. These men, with William Onie, chief barker, Arthur Frudenfeld, Joseph J. Oulahan and Harry J. Wessel, past chief barkers, will serve for the coming year. Moritz and Niedenthal were elected delegates to the national convention, with Onie and Devaney alternates. Moritz also was reelected as national canvasman.

Set Promotion Plans On Six U.A. Pictures

HOLLYWOOD, Nov. 20.—Plans for exploitation and advertising campaigns on six forthcoming United Artists films are being made here by U. A. promotion executives, headed by Monroe Greenthal, advertising and publicity director.

They will remain here for a week. With Greenthal are Morris Heplrin, Al Margolies and David Weshner. The films are "Shanghai Gesture," "Corsican Brothers," "Twin Beds," "Heliotrope Harry," "Jungle Book" and "To Be or Not to Be."

Review

"Keep 'Em Flying"

(Universal)

SCORE another for Bud Abbott and Lou Costello, for Universal, and for the exhibitor. Keyed to the present-day interest in defense and the air corps, brightened with tuneful songs, containing a climax thrill sequence in the air, plus a touch of romance and drama, in addition to the dominating thread of comedy, the film should click at any box-office in the land.

This picture takes the comedy pair, Abbott and Costello, into the air via an Army Air Corps training school, as a couple of carnival barkers who join their pal, Dick Foran, stunt flier who enters the air school. Romance is offered by Foran and Carol Bruce, stationed at the school as a USO hostess. The Costello comedy is abetted by Martha Raye in the dual role of twin-sister hostesses, and William Gargan and Charles Lang assist in the dramatic development.

Arthur Lubin, director, and Glenn Tryon, associate producer, provided an elaborate and effective air corps background and a lively, entertaining pace. Best of the songs are "Let's a Keep 'Em Flying," by Don Raye and Gene de Paul, and "I'm Getting Sentimental Over You," one of several sung effectively by Miss Bruce. Carrying the film, and never out of it for more than a few minutes, Abbott and Costello pile gag on gag and funny situations one on the other to make a laugh fest for any audience which should cause a merry jingle in the theatre's cash register.

Running time, 86 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

Camp Openings Set On First USO Shows

Eddie Dowling, president, and Lawrence Phillips, executive vice-president of USO-Camp Shows, Inc., have announced the Army camps and Naval stations at which the first eight streamlined shows for the entertainment of service men will open.

The four opening on Nov. 27, will be: "Funzafire," at the U. S. Marine Base, Quantico, Va.; "Ada Leonard and Her All-American Girl Revue," at Camp Elliott, San Diego; "Bring on the Girls," Camp Claiborne, Claiborne, La., and "The Beachcombers of 1942," Fort Lewis, Tacoma, Wash.

The four opening on Dec. 3 will be: "Follow the Crowd," at Camp Barkley, Abilene, Tex.: "The Laugh Parade," Charleston Navy Yard; "Thumbs Up," Camp Davis, South Carolina, and "Happy Go Lucky," Fort Bliss, El Paso, Tex.

Edward Arnold and Kenneth Thomson representing the Screen Actors Guild were here conferring on the shows.

Clearing 'Charley' Title for Canada

TORONTO, Nov. 20.—Negotiations are in progress here between 20th Century-Fox and Empire-Universal Films for clearance of the film title, "Charley's Aunt," for Canada.

Empire-Universal holds a prior right to the title in the Dominion through its release of a British picture of that name. Pending outcome of the negotiations, 20th Century-Fox has not released the picture in Canada.

Heads Musicians Union

ATLANTIC CITY, Nov. 20.—Alfonso Porcelli has been reelected president of the local musicians' union for the 10th consecutive term. Peter Russo was elected vice-president and William Rinaldi was reelected secretary-treasurer.

Rule Stage Acts Not Employes of Theatre

ALBANY, Nov. 20.—In a decision by the Appellate Division of the N. Y. Supreme Court made on a claim for credit under the unemployment Insurance Act by Radio City Music Hall, New York, it has been held that members of vaudeville acts engaged for weekly periods are not employes of the theatre within the meaning of the law and therefore escape the insurance tax.

The court ruled, four-to-one, that "such special acts and the individual performers working in them are held to be independent contractors and the disallowance of the claim for credit for contributions paid on their wages is reversed and the claim for credit is allowed, with costs and disbursements to the appellant against the Industrial Commissioner."

20th-Fox Claims Rights to Musical

(Continued from page 1)

is one of the current hits on Broadway.

Kilroe's letter follows:

"We have noticed in the trade papers that you are offering for sale the motion picture rights to the play 'Let's Face It.'

"Please be advised that the Twentieth Century-Fox Film Corp. owns the world-wide silent, dialogue and talking motion picture rights in and to the play 'The Cradle Snatchers' upon which the play 'Let's Face It' is based.

"We respectfully ask you to refrain from offering for sale the motion picture rights which we own."

Equity Will Draft Ban on Ism Groups

The Actors' Equity council at a meeting next Tuesday will appoint a committee to draft an amendment to the association's constitution which would ban Communists, Nazis, Fascists and their sympathizers from holding office in Equity.

Paramount Opens Sales Conference In Chicago Today

(Continued from page 1)

will be given a trade showing in conjunction with the meeting.

Among those who will attend the sessions are: district managers W. F. Erbb, Boston; M. S. Kusell, New York; H. H. Goldstein, Cleveland; E. W. Sweigert, Philadelphia; Allen Usher, Chicago; R. C. LiBeau, Kansas City; M. A. Brown, Denver; F. W. Braly, Los Angeles; H. Owen, Dallas; J. F. Kirby, Atlanta, and J. J. Donohue, Chicago branch manager.

In addition to Agnew, Balaban and Zukor, the following home office officials will be present: Charles M. Reagan, J. J. Unger, G. A. Smith, Oscar A. Morgan, C. J. Scollard, G. B. Frawley, Robert M. Gillham, A. Mosk, F. A. Leroy, H. J. Lorber, A. J. Dunne, M. R. Goodman, J. Phillipson, J. Roper and Claude Lee. Del Goodman in charge of sales in Canada, and G. C. Parsons of Honolulu, will also be present.

Masters Is Head Of Odeon Circuit

(Continued from page 1)

erman, former assistant to Gradwell L. Sears at Warners, will be named to succeed Masters as soon as Sears takes over his new duties Monday as vice-president of United Artists in charge of domestic distribution.

Masters' new posts will be those of president and general manager of Empire-Universal and vice-president and general manager of Odeon Circuit, which operates 85 Canadian theatres. Both companies are controlled by N. L. Nathanson and Paul Nathanson.

Masters has been associated with United Artists since 1919, and was Canadian sales manager for the company with headquarters in Toronto for many years. He was appointed Western and Canadian sales manager for the company on the resignation of L. J. Schlaifer about a year ago.

Disagreement Delays British Fund Sharing

(Continued from page 1)

tration with a decision in favor of the other companies. Loew's served notice then that it would not agree to the same formula again, advocating instead a formula based on net earnings in Britain, rather than billings.

The $20,000,000 allowed for remittance this year is payable in equal quarterly installments. The first $5,000,000 may be remitted after Jan. 31.

Philco 3rd Quarter Profit Is $733,939

Consolidated earnings of Philco Corp., excluding its Canadian subsidiary, for the third quarter of 1941 amounted to $733,939, after provision of $1,125,000 for taxes, according to an announcement by James T. Buckley, president.

This is equivalent to 53½ cents on each of 1,372,143 shares of common stock outstanding, as compared to 53 cents in the same period last year.

4th WEEK ON BROADWAY!

"HOW GREEN WAS MY VALLEY"

AT THE **RIVOLI**

20th CENTURY FOX

3rd WEEK ON BROADWAY!

"WEEK-END IN HAVANA"

(IN TECHNICOLOR)

AT THE **ROXY**

20th CENTURY FOX

2nd WEEK ON BROADWAY!

"SWAMP WATER"

AT THE **GLOBE**

20th CENTURY FOX

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 24	3 Girls About Town (C) *Blondell-Barnes* (1941-42)	Honky Tonk (D) 204 Married Bachelor (C) 205 Smilin' Through (M) 206 Feminine Touch (C) 207	Spooks Run Wild (D) *Bela Lugosi* (1941-42)	Henry Aldrich for President (C) 4104 *Jimmy Lydon* (1941-42)	Billy the Kid Wanted 257 (O) *Buster Crabbe* (1941-42)	Gauchos of Eldorado (O) 162 *3 Mesquiteers* (1941-42)	Gay Falcon (D) *George Sanders* 206 (1941-42)	Moon Over Her Shoulder (C) 215 *Lynn Bari*		Flying Cadets (D) 6028 *Gargan-Lowe* (1941-42)	
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)		Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Mr. Celebrity 114 (D) *Buzzy Henry* (1940-41)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)		Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March Martha Scott* (1941-42)
Nov. 7	The Stork Pays Off (C) 3036 *M. Rosenbloom* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy Rise Stevens*	Siren of the South Seas (Re-issue) (1941-42)	Birth of the Blues (M) 4109 *Crosby-Martin* (1941-42)	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray F. Langford* (1941-42)	Target for Tonight 109 (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson Edw. Arnold*			Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	Hot Spot (D) 216 *Grable-Landis Vic Mature* (1941-42)	Miss Polly (C) (Streamliner) *Zasu Pitts* (1941-42)		Blues in the Night (D) 110 *Priscilla Lane Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell Myrna Loy*	Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*	I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)		Tuxedo Junction (C) *The Weavers* (1941-42)	Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Corsican Brothers (D) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* (1941-42)	
Dec. 5	Sing for Your Supper (C) *Buddy Rogers* (1941-42)	H. M. Pulham, Esq. (D) *Hedy Lamarr Young-Hussey*	Borrowed Hero (D) Lone Star Law Men (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* (1941-42)			Swamp Water (D) 218 *Huston-Brennan* (1941-42)		Sealed Lips (D) *William Gargan* (1941-42)	The Body Disappears (C) 111 *Lynn-Wyman* (1941-42)
Dec. 12	Honolulu Lu (D) *Lupe Velez* (1941-42)	Kathleen (D) *Shirley Temple Herb. Marshall* Design for Scandal (C) *Rosalind Russell Walt. Pidgeon*	Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 (1941-42)	Red River Valley (O) *Roy Rogers* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	The Wolf Man (D) *Claude Rains* (1941-42)	Steel Against the Sky (D) 112 *Alexis Smith* (1941-42)
Dec. 19	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)	Tarzan's Secret Treasure (D) *J. Weissmuller M. O'Sullivan*	Boy of Mine (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	The Carter Case (D) *James Ellison* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornel Wilde* (1941-42)		Melody Lane (C) Road Agent (D) (1941-42)	
Dec. 25	Harvard, Here I Come (C) *M. Rosenbloom* (1941-42)		Forbidden Trails (O) Here Come the Marines (D) (1941-42)		Blonde Comet (D) *Robert Kent* (1940-41)	West of Cimarron (O) *3 Mesquiteers* (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)		The Gold Rush (Re-Issue) Dudes are Pretty People (C) (Streamliner) (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	You're in the Army Now (C) 113 *Jimmy Durante* (1941-42)
Jan. 2			Freckles Comes Home (D) *Johnny Downs* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd* (1941-42)	Born to the Saddle (O) *Don Barry* (1941-42)			Twin Beds (C) *Joan Bennett George Brent* (1941-42)		They Died With Their Boots On (D) *Errol Flynn* (1941-42)
Jan. 9			Thunder River Feud (O) *Range Busters* (1941-42)		Lone Rider and the Bandit Girls' Town (D) 202					North to the Klondike (D) *Brod. Crawford* (1941-42)	All Through the Night (D) 116 *Bogart-Veidt* (1941-42)

Blues' Leads Los Angeles With $30,000

LOS ANGELES, Nov. 20.—Armistice Day crowds swelled total first run business here to a general 25 per cent increase over average. "Birth of the Blues" was the standout with $30,000 for the week at the Paramount.

Estimated receipts for the week ending Nov. 12:

"Lydia" (U. A.)
"Married Bachelor" (M-G-M)
1 CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $10,500. (Average: $12,000)
"Sundown" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 4th week. Gross: $5,300. (Average, $3,250).
"Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days, 4th week. Gross: $7,300.
"Unfinished Business" (Univ.)
"Lady Scarface" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. "Business", 2nd week. Gross: $9,000. (Average, $6,500)
"Lydia" (U. A.)
"Married Bachelor" (M-G-M)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $14,000. (Average, $14,000)
"Unfinished Business" (Univ.)
"Lady Scarface" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. "Business", 2nd week. Gross: $8,000. (Average, $7,000)
"Birth of the Blues" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Freddie Martin. Gross: $30,-000. (Average, $18,000)
"You Belong to Me" (Col.)
"Nine Lives Are Not Enough" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $15,600. (Average, $14,000)
"You Belong to Me" (Col.)
"Nine Lives Are Not Enough" (W.B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $15,-300. (Average, $12,000)

'Dawn' Cincinnati Best with $5,800

CINCINNATI, Nov. 20.—"Hold Back the Dawn" had a $5,800 second week at the RKO Grand, and "Sergeant York" grossed $6,000 in its seventh consecutive week at the RKO Capitol at an advanced scale.

Estimated receipts for the week ending Nov. 12-15:

"One Foot in Heaven" (W. B.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $10,300. (Average, $12,000)
"You Belong to Me" (Col.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $10,000)
"The Night of January 16" (Para.)
RKO SHUBERT—(2,500) (33c-44c-60c) 7 days. Stage: "Hawaiian Nights". Gross: $12,000. (Average, $12,000)
"Sergeant York" (W. B.)
RKO CAPITOL—(2,000) (40c-50c-60c) 7 days, 7th week. Gross: $6,000. (Average, at 33c-40c-50c, $5,500)
"Hold Back the Dawn" (Para.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $5,000)
"Law of the Tropics" (W. B.)
"Sing Another Chorus" (Univ.)
RKO LYRIC—(1,400) (28c-40c) 7 days. Gross: $3,200. (Average, $4,500)
"The Pittsburgh Kid" (Rep.)
"Dangerous Lady" (P.R.C.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,000. (Average, $1,200)
"Two Latins from Manhattan" (Col.)
"Secrets of the Wasteland" (Para.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Ladies in Retirement" (Col.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,500. (Average, $5,000)

'Letter' to Music Hall

"A Letter from Home," short produced by Carol Reed in England, and being distributed by United Artists on a non-profit basis, has been booked into the Radio City Music Hall, starting Nov. 27.

Notes from Hollywood

Hollywood, Nov. 20

PARAMOUNT has taken an option in the magazine serial, "Dark of the Moon," by MARGARET BELL HOUSTON, as a vehicle for DOROTHY LAMOUR, MACDONALD CAREY and BRIAN DONLEVY. . . . JOAN BENNETT and FRANCHOT TONE will be co-starred in Columbia's "Highly Irregular," story of a British pilot grounded in Holland. Written by GINA KAUS and adapted by MISS KAUS and JAY DRATLER, the film will be directed by RICHARD WALLACE. . . . FRANK MORGAN will support SPENCER TRACY in M-G-M's "Tortilla Flat." . . . *American Magazine*, which publishes CLARENCE BUDDINGTON KELLAND'S "Scattergood Baines" series, will exploit the series of films being made for RKO by JERROLD BRANDT'S Pyramid Pictures. . . . Paramount has given new writing contracts to BILLY WILDER and THEODORE ST. JOHN. . . . BERT LAHR, just finished in RKO's "Sing Your Worries Away," will support ELEANOR POWELL and RED SKELTON in "I'll Take Manila," M-G-M.

• •

DUNCAN RENALDO, AKIM TAMIROFF and FORTUNIO BONANOVA have been cast in roles in Paramount's "For Whom the Bell Tolls." . . . Warners has purchased HOWARD HILL'S latest archery short, "With Bow and Arrow in the Everglades." . . . RICHARD WHORF, stage player whom Warners has groomed, will play in "Yankee Doodle Dandy."

• •

Republic has cast Margaret Lindsay in "Woman in the Dark," mystery comedy which Joseph Santley will direct. . . . That studio also assigned Kay McKenzie to play opposite Gene Autry in "Cowboy Serenade." The next picture for Monogram to be produced by the King Brothers will be "Unofficially Dead," which gets under way Dec. 1 with Phil Rosen directing from George Bricker's script.

• •

KENT TAYLOR and FRANCES LANGFORD will be teamed in "Mississippi Gambler" which JOHN RAWLINS will direct for Universal. . . . Republic has signed GLORIA DICKSON to do three pictures this season. . . . ROBERT SIODMAK will direct "The Night Before the Divorce," starring LYNN BARI, at 20th Century-FOX. . . . "The Palm Beach Story" has been set as the title for the CLAUDETTE COLBERT-JOEL MCCREA vehicle to be directed by PRESTON STURGES at Paramount. It was formerly known as "Is That Bad?". . . . PRESTON FOSTER will be co-star with Richard Dix in HARRY SHERMAN'S "American Empire."

• •

JACK HIVELY has been assigned to direct "The Black Curtain" at Paramount. . . . Monogram has changed the title of EDWARD GROSS' production "The Yard Bird" to "Snuffy Smith, the Yard Bird." . . . MARGARET DRAKE, newcomer, gets the feminine lead of RKO's "The Tuttles of Tahiti". . . . . ISLIN AUSTER draws the production reins on RKO's "Cheyenne," which will star EDDIE ALBERT. P.R.C. has set "Texas Manhunt" as the title for the first in its Frontier Marshal western series.

• •

Edgar Buchanan, dentist-character actor, goes into Columbia's "Mr. Twilight." . . . Samuel Goldwyn has signed Arthur Kober to work with Nat Perrin on "Treasure Chest" to star Bob Hope. . . . Irving Starr, New M-G-M producer, has been assigned "Fingers at the Window," "Sunday Punch," and "Once Upon a Thursday." . . . The last is an original by Isabel Lennart and Lee Gold.

• •

Christine MacIntyre has been set for the feminine lead of Monogram's "Forbidden Trails," next in the "Rough Rider" western series. . . . Republic plans to put 11 pictures before the cameras in the next seven weeks. . . . CHARLES GRAYSON, writer, is working on the script of Warners' "Biography of a Bad Man." . . . ERNEST PASCAL draws the script assignment on Columbia's "A Young Girl's Fancy." . . . BOBBY CONNOLLY, dance director, has had his contract extended at M-G-M. . . . Bruce MANNING, Universal producer, has been given the reins on "The Life of Thomas Newsome," on which FELIX JACKSON will be his associate.

'Foxes' New Haven Winner at $8,200

NEW HAVEN, Nov. 20.—"The Little Foxes," dualled with "Nine Lives Are Not Enough" at the Roger Sherman took $8,200. "It Started With Eve" and "Buy Me That Town" took $7,500 at the Paramount.

Estimated receipts for the week ending Nov. 13:

"Smilin' Through" (M-G-M)
"Tanks a Million" (U. A.)
COLLEGE—(1,499) (40c-50c) 7 days, 2nd week. Gross: $2,400. (Average, $2,700)
"The Chocolate Soldier" (M-G-M)
"Tillie the Toiler" (Col.)
LOEW-POLI—(3,040) (49c-50c) 7 days. Gross: $6,500. (Average, $8,000)
"It Started With Eve" (Univ.)
"Buy Me That Town" (Para.)
PARAMOUNT—(2,348) (40c-50c) 7 days. Gross: $7,500. (Average, $4,500)
"The Little Foxes" (RKO)
"Nine Lives Are Not Enough" (W. B.)
ROGER SHERMAN—(2,260) (40c-50c) 7 days. Gross: $8,200. (Average, $5,000)

'Town,' Carroll Show Get $15,200, Omaha

OMAHA, Nov. 20.—The Orpheum's stage-screen bill drew top business, getting $15,200 with "New York Town" and Earl Carroll's show. The weather was clear and cold.

Estimated receipts for week ending Nov. 12-13:

"Three Girls About Town" (Col.)
"Law of the Tropics" (W. B.)
BRANDEIS—(1,200) (30c-44c) 7 days. Gross: $3,700. (Average, $4,000)
"The Feminine Touch" (M-G-M)
"Down in San Diego" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,200. (Average, $6,000)
"New York Town" (Para.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Earl Carroll's Vanities. Gross: $15,200. (Average, $14,500)
"Honky Tonk" (M-G-M)
"Sundown" (U. A.)
PARAMOUNT—(3,000) (30c-44c) 7 days, 2nd week. Gross: $3,800. (Average, $5,000).

'Wife,' Show Get $22,300, Frisco Lead

SAN FRANCISCO, Nov. 20.—"Father Takes a Wife," with Duke Ellington's band on the stage, drew $22,300.

Estimated receipts for the week ending Nov. 11-14:

"Father Takes a Wife" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days. Stage: Duke Ellington. Gross: $22,300. (Average, $15,000)
"Appointment for Love" (Univ.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days, 2nd week. Gross: $8,500. (Average, $7,500)
"Texas" (Col.)
"Two Latins from Manhattan (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $13,700. (Average, $8,000)
"International Squadron" (W. B.)
"The Smiling Ghost" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $9,800. (Average, $11,500)
"Nothing But the Truth" (Para.)
"Nine Lives Are Not Enough" (W. B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $14,000. (Average, $16,000)
"Unholy Partners" (M-G-M)
"Ice-Capades" (Rep.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. (Moveover from Paramount). Gross: $4,600. (Average, $4,500)
"Sergeant York" (W. B.)
WARFIELD—(2,680) (25c-50c-65c) 7 days, 4th week. Gross: $12,000. (Average, $12,-000)
"La Charrette Fantome" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $900. (Average, $1,000)

'York' at $14,200 Providence High

PROVIDENCE, Nov. 20.—In its second week at advanced prices, "Sergeant York" brought the Majestic $14,200. The Strand did $12,000 with "Birth of the Blues" and "Mercy Island." Armistice Day business was brisk.

Estimated receipts for the week ending Nov. 12-13:

"It Started With Eve" (Univ.)
"Week-End for Three" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $11,500. (Average, $6,000)
"The Chocolate Soldier" (M-G-M)
"Three Girls About Town" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,000. (Average, $11,000)
"Sergeant York" (W. B.)
MAJESTIC—(2,250) (44c-55c-65c) 7 days, 2nd week. Gross: $14,200. (Average, $7,000)
"Birth of the Blues" (Para.)
"Mercy Island" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $12,000. (Average, $6,000)
'Moon Over Her Shoulder" (20th-Fox)
FAY'S — (1,800) (20c-33c-44c) 7 days. Stage show: Stanley Twins; Bert Lynn; John Fogarty; France and La Pell; Johnny Barnes; Winnie Mae; Max and His Gang. Gross: $5,700. (Average, $5,000)
"Gay Vagabond" (Rep.)
METROPOLITAN — (3,045) (30c-39c-55c-75c) 4 days. Stage show: Ted Lewis and Orchestra; George Rogers Dancers; Blair Sisters; Jean Blanche; June Edwards; Louise Glenn; Dorothy Roger; Snowball Whittier. Gross: $7,000. (Average, $5,000)
"The Eternal Gift" (Lamont)
AVON—(519) (28c-39c) 7 days. Gross: $1,200. (Average, $1,000)
"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $3,500)
"Citizen Kane" (RKO) (3 days)
"Highway West" (W. B.) (3 days)
"Belle Starr" (20th-Fox) (4 days)
"My Life With Caroline" (RKO) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,900. (Average, $1,800)

Named Arbitration Clerk

J. M. Carney has been appointed clerk of the Milwaukee arbitration board by the American Arbitration Association, succeeding R. T. Loell, resigned.

Sing a song of showmen, pockets full of dough
Watching happy customers, standing in a row;
After playing "SKYLARK,"
They sing with beaming pans . . .

"BOY, IS THIS A MONEY DISH TO SET BEFORE THE FANS!"



CLAUDETTE COLBERT · RAY MILLAND · BRIAN AHERNE

in

"Skylark"

*Grosses from the first six dates on "SKYLARK" show it running well ahead of that last Milland-Colbert smash "ARISE MY LOVE"

A Paramount Picture with

BINNIE BARNES · WALTER ABEL · Mona Barrie
Ernest Cossart · Grant Mitchell · James Rennie

A MARK SANDRICH Production · Screen Play by Allan Scott

Adaptation by Z. Myers · Based upon a Play and Novel by Samson Raphaelson

Paramount Pictures

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 102 NEW YORK, U. S. A., MONDAY, NOVEMBER 24, 1941 TEN CENTS

Full Authority To Schaefer in RKO, Report

Policy and Setup Changes By Board Due Today

By ALFRED FINESTONE

RKO's board of directors is scheduled to meet today for purposes of reorganizing the company's policies and setup under the full authority of George J. Schaefer, it is reported. The latter, as president, is to be offered a new contract. The board may be reduced in membership to make it a more workable body. Also, the board will have the opportunity to decide whether to continue the executive committee.



George J. Schaefer

Some kind of realignment of the board's functions and the services of board members is expected to result, since at today's meeting the directors will be called upon to consider recommendations along such lines by a specially designed committee of directors.

May Share Functions

The various functions of the board may be distributed among committees of directors which are to be set up, it is said. Schaefer is expected to leave for Hollywood following the meeting.

Joseph I. Breen will continue in full charge of production although some changes are expected as a consequence of the director's recommendations which will be made today.

Richard C. Patterson, chairman of the board, is expected to figure more prominently in the reorganized setup. N. Peter Rathvon, chairman of the executive committee, may be given a new post.

Also, the board may set up its own policy, operating and finance committees.

Report McDonough Leaving

HOLLYWOOD, Nov. 23.—It is reported here that James R. McDonough, RKO studio executive, is leaving the company.

$50,000 Check Is Film Contribution to Red Cross Roll Call

WASHINGTON, Nov. 23.—Will H. Hays, president of the MPPDA, has sent a $50,000 check to the American Red Cross for "war emergency welfare work," Norman H. Davis, Red Cross chairman, announced here today.

The check represents part of the proceeds from the distribution of the film, "Land of Liberty," produced originally as a joint industry venture for the New York and San Francisco world's fairs. It subsequently was generally released with the net proceeds to go to war emergency work.

In his letter, Hays asked that the $50,000 be added to the current Red Cross roll call. "Our organization," Hays wrote, "wants to show its appreciation of the splendid work which your organization is doing and therefore makes this voluntary contribution, hoping it will be of help in connection with your current Roll Call."

Davis, in accepting, asked Hays to thank the industry for the contribution, and expressed appreciation for the cooperation which the film industry always has given the American Red Cross.

Bernhard Leaves On Exchange Tour

Joseph Bernhard, vice-president and general manager of Warners, left last night on a tour of company exchanges, his first since assuming his new post with the film company. He will be accompanied by Mort Blumenstock, recently named national manager of advertising.

'Unity' Invitations Go Out This Week

Chicago, Nov. 23.—Invitations to the all-industry conference under Allied States' unity plan are scheduled to be sent out this week by the Allied committee, it is learned. The invitations will be sent to industry leaders and representative members of industry organizations. The meeting will be held here in December. A definite date is expected to be announced early this week.

Larger Scope Set for USO Camp Shows

By EDWARD GREIF

With a considerably enlarged board of directors, the USO-Camp Shows, Inc., on Friday announced the opening of Hollywood offices under the direction of Edward Arnold, Screen Actors Guild president and vice-president of Camp Shows, in addition to the New York headquarters headed by Eddie Dowling, president.

Besides touring shows for the Army and Navy camps, a talent pool has been formed in Hollywood and another will shortly be organized here to provide additional entertainment for the men in service. Eight musical shows and stage comedies are ready for presentation, it was said, four of

(Continued on page 6)

Connors Will Be Assistant to Sidney R. Kent

Nicholas Schenck Grants Executive's Release

By SAM SHAIN

Sidney R. Kent, president of 20th Century-Fox, is bringing in Tom Connors as his assistant, under a proposed long-term deal. This deal, informed sources aver, will not change the operating setup of the company's domestic, foreign or theatre departments. Announcement of the appointment by Kent awaits formal closing of terms, which is expected sometime this week.



Tom Connors

Connors will be responsible to Kent in his new post, and, it is said, will act for Kent in the latter's absence. Connors is one of the best known executives of the industry. He is presently Eastern, Southern and Canadian sales manager of M-G-M. His services are known to have been sought by nearly every other major company, in recent months. His joining Kent is looked upon as a tribute to Kent's leadership in the industry.

That Kent is bringing Connors in with the prior consent of Nicholas M. Schenck for the release of Connors from M-G-M, is taken for granted by the trade, familiar with Kent's methods of operations. Kent would not have it otherwise. Connors is expected to join Kent after details of his deal are worked out and following the M-G-M sales meeting over the weekend in Chicago, which he will attend.

A native of New York City, Connors, after attending Commerce High School and Manhattan College, became a salesman of cotton goods and steel products. He entered the industry as a salesman for Pathe in New York, later joining Metro. He became assistant branch manager and branch manager for Metro. In 1924 he was appointed assistant general sales manager, in 1925 Southern sales manager, and in 1933 Canadian sales manager. Later he was appointed Southern and Canadian sales chief and in 1935 became Eastern, Southern and Canadian sales manager.

IA Locals to Get Report on Finances and 2% Assessment

A financial report showing the status of the IATSE treasury as well as the special fund raised by a two per cent assessment, which previously was under the exclusive control of George E. Browne, former president, will be forwarded to all locals of the union, Richard F. Walsh, president, declared over the weekend. Walsh added that the question of making the report public in advance of the convention scheduled for next Summer was being studied.

All defense fees for Browne and

(Continued on page 6)

'Night of Stars' to Be Held on Wednesday

Scores of screen, radio and stage personalities will assemble at Madison Square Garden Wednesday night to take part in the eighth annual "Night of Stars" show for refugee relief and Palestine resettlement. Marvin Schenck is chairman of the producing committee.

Included in the roster of entertain-

(Continued on page 6)

'Scarface' Alright For Chicago Now

Chicago, Nov. 23.—After being banned by the Chicago censor board for more than nine years, "Scarface," the United Artists crime picture starring Paul Muni and George Raft, opened at the Woods here late last week. The picture was originally released in April, 1932. Distribution rights are now held by the local Monogram exchange.

Mayor Edward J. Kelly ordered the issuance of a permit for the picture after it was screened for him recently.

Personal Mention

GEORGE J. SCHAEFER will leave for the Coast by plane tonight.

•

LEON SCHLESINGER, HARRY GOLDBERG, HARRY MAYER and HAROLD RODNER have left for Pittsburgh to attend the Variety Club's testimonial dinner for HARRY KALMINE tonight.

•

MAX FACTOR, former manager of the Pioneer Theatres office in Des Moines, has left for the Coast, following his resignation.

•

MERVYN LEROY and MRS LEROY are here from the Coast.

DAVID O. SELZNICK is due from White Sulphur Springs, W. Va., tomorrow after spending the weekend there with MRS. SELZNICK and MR. and MRS. WILLIAM S. PALEY. He plans to leave for the Coast in about a week.

•

BEN KALMENSON, Warner general sales manager, has returned from a trip to the South and Midwest.

•

MRS. HAROLD WENGLER, wife of the publicity representative for Altec Service Corp., left the Fifth Avenue Hospital over the weekend after an appendicitis operation.

Basilicato Heads New Haven Union

NEW HAVEN, Nov. 23.—Local 273 of the operators union, which covers New Haven, Ansonia and Derby, has reelected Anthony Basilicato president for a second term. John Griffiths, Jr., is vice-president, Ernest V. DeGross, secretary, Edward W. Boppert, treasurer, and Matthew W. Kennedy, business agent for the seventh year.

Nicholas Villano heads the finance committee, and A. Nelson Frazier and Frank Perry, in addition to the officers, comprise the executive board.

'Two-Faced Woman' On Legion's 'C' List

The National Legion of Decency has placed "Two-Faced Woman," M-G-M's new Greta Garbo picture, on its "Condemned" list. The Legion gave as the reason for the classification its belief that the picture is "immoral and un-Christian in its attitude toward marriage and its obligations; impudently suggestive scenes, dialogue and situations; suggestive costumes."

Open 'SwampWoman' In Detroit on Friday

Producers Releasing Corp. will hold the premiere of "Swamp Woman," starring Ann Corio and Jack LaRue, at the Cinema Theatre, Detroit, on Friday. "Mr. Celebrity," another PRC film, will be on the same bill.

Bookers Meet Tonight

The N. Y. Bookers Club will meet tonight at the Hotel Lincoln. Harold Klein will preside.

Deny Muscle Shoals Crescent Affiliation

NASHVILLE, Nov. 23.—The Government's belief that Muscle Shoals Theatres was an affiliate of Crescent Amusement Co. instead of an independent partnership is the explanation for the inclusion of the small circuit in the Federal anti-trust suit against Crescent and the "Little Three," a brief filed by Muscle Shoals in U. S. District court here late last week asserts.

The brief, filed on behalf of Louis Rosenbaum and Nettie Sudekum, partners in Muscle Shoals, by W. H. Mitchell, counsel, charges that Max Buchanan, who opened a competing theatre in Athens, Ala., supplied the Government with information concern-Muscle Shoals' alleged relationship to Crescent which led to its inclusion in the action. The brief charges that Buchanan's operation was started solely for its "nuisance" value.

"No theory of public welfare can justify bringing Muscle Shoals Theatres into this case," the brief asserts. "So far as we are concerned," it adds, "this action was brought by the United States against Muscle Shoals Theatres to protect the welfare of one Max Buchanan."

Named District Head For Central States

BURLINGTON, IA., Nov. 23.—L. J. Wegener, manager of Central States Palace Theatre here, has been named district manager for this territory with supervision of 10 of the circuit theatres.

F. C. Ingram, manager of the Cresco Theatre at Cresco, Iowa, the past year, has been transferred to manage the King Theatre at Albia, Iowa, and Jack Slingless, formerly manager of the Zephyr Theatre at Burlington, will manage the Cresco.

'Hot Spot' Reverts To Original Title

"Hot Spot," Bette Grable-Victor Mature-Carole Landis film, will be released under its original title, "I Wake Up Screaming," 20th Century-Fox announced Friday. Reportedly as a test, "I Wake Up Screaming" was used in opening the picture at the Wisconsin Theatre in Milwaukee on Thanksgiving Day, and the day's business, which was big, prompted officials to revert to that title for national release, it was stated. "I Wake Up Screaming" is the title of the Steve Fisher novel on which the film is based.

Universal Sets Two S. A. Sales Meetings

Joseph H. Seidelman, Universal vice-president and foreign manager, will leave for Rio de Janeiro by plane today to conduct the first of two Latin American sales conventions.

C. C. Margon, Latin American supervisor for the company, who is now in Brazil, has completed arrangements for the Rio convention starting Dec. 5 and a second meeting to be held in Buenos Aires starting Dec. 13. Al Szekler, general manager for the Brazilian territory, will attend, as will all of the company's Latin American representatives.

Frayne Reelected Coast SMPE Head

HOLLYWOOD, Nov. 23.—J. G. Frayne has been reelected chairman of the Pacific Coast Section of the Society of Motion Picture Engineers, it was announced. Hollis Moyse, John Hilliard and W. Ray Wilkinson were named managers. Charles Handley was retained as secretary-treasurer.

Goldsmith Due Here

Isador Goldsmith, president of Grafton Films, Ltd., London producing company, is scheduled to arrive here from England early next month. He will bring with him a print of "Hatter's Castle," produced from the A. J. Cronin novel.

Leaves Morris Agency

E. Henry Lewis has resigned from the William Morris Agency's legitimate theatre department and plans to enter the film talent field. He will leave for the Coast in about two weeks.

October Tax Total Rises to $6,812,275

WASHINGTON, Nov. 23.—Federa admission tax collections in Octobe totaled $6,812,275, an increase o $367,325 over the September revenu of $6,444,950 and $183,845 above th $6,628,430 received in October, 194(it was reported over the weekend b the Internal Revenue Bureau.

The month's collections brought th total for the first 10 months of t year to $65,995,923, compared wit $29,705,178 in 1940, when the 40-cer exemption was in effect for the firs half of the year.

A large part of the increase be tween September and October wa experienced in the Third New Yor (Broadway) District, where tota collections increased from $739,831 t $882,332, but the latter figure re mained considerably under the Octo ber, 1940, level of $1,103,233, th bureau announced.

There was a general improvemer in conditions along Broadway, it wa indicated, box-office collections ir creasing from $693,586 to $822,460 receipts from tickets sold by broker jumping from $3,964 to $7,107, an revenue from admissions to roof gar dens and cabarets advancing fro $42,281 to $52,451, in addition t which $314 was secured from per manent use or lease of boxes an seats, from which nothing was re ceived in September.

Admission tax collections are du to increase sharply in the bureau' November report as a result of th further reduction of the exemption.

Associates Nominate Officers Wednesda

Motion Picture Associates wi nominate officers for 1942 at a meet ing Wednesday at the organization' club rooms in the Hotel Lincol Also a financial report of the MPA annual affair at the Astor last We nesday night will be made. Josep J. Lee is MPA president.

Dave Fleischer Hurt

ALBUQUERQUE, Nov. 23. — Dav Fleischer, director for Fleischer Stu dios, was injured in an automobil accident near Lordsburg, N. M., o Friday. Taken to a nearby hospita he was reported to have suffered tw fractured ribs, in addition to cut and bruises.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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BROADWAY PLAYS

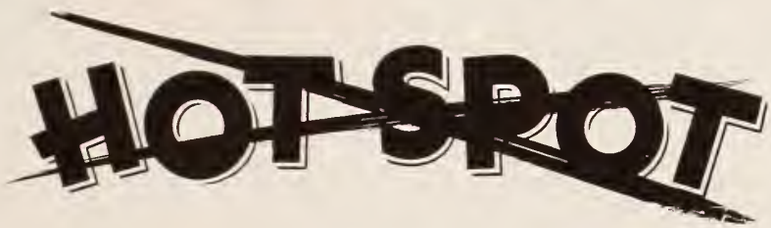
"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
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Specializing in requirements of the Motion Picture Industry
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IMPORTANT NOTICE!

To All Exhibitors!
The title of the
20th Century-Fox
Picture



has been changed
to

I WAKE UP SCREAMING

Watch the trade papers for further details!

WALT DISNEY'S

CIRCUS OF FUN
in TECHNICOLOR

DU



Book now!

THE GREATEST SHOW ON EART



Now in its fifth sensational week on Broadway doing "Snow White" business.

Already set as the gala holiday attraction in more than 50 key cities coast to coast.

OR HOLIDAY PLAYING TIME!

Contact your RKO Exchange immediately

Ask Civil Suit Be Tried First In Minnesota

MINNEAPOLIS, Nov. 23. — Distributors' plans to test the validity of the Minnesota anti-block-of-five law by trial of the criminal actions against Paramount, RKO and 20th Century-Fox were complicated at the weekend by the reported insistence of James F. Lynch, Ramsey County Attorney, that the civil actions instituted by the five consenting companies and United Artists against the law be disposed of first.

The distributors regard the criminal actions charging the three companies with violating the state law by selling films contrary to its provisions as a quicker and more definitive means of testing the validity of the statute.

The criminal actions have been set for trial Dec. 15, while the civil actions could be reached by the district court between Dec. 5 and 10, it is said.

The equity actions were instituted by the six companies originally to obtain an injunction restraining the State from enforcing the law, but their application for a temporary injunction pending trial was denied.

Lynch is said to insist that the civil actions be tried first so that the criminal cases may be nolle prossed if the law is held unconstitutional. Appeals will be taken to the Supreme Court in either case, but the distributors believe that an appeal in a criminal action would be heard more quickly.

Northwest Allied, sponsor of the law, has asked the court for permission to intervene to defend the statute.

Home office legal departments said that while they had not been informed of any opposition to their plan to try the Minnesota criminal actions first, they believed that the failure of their counsel in Minneapolis so to advise them indicated that the opposition was not irreconcilable.

The time in which the distributors could take an appeal from the St. Paul court's denial of their application for a temporary injunction against the Minnesota law expired over the weekend without action being taken.

Exhibitor Wins in St. Louis Complaint

ST. LOUIS, Nov. 23.—An arbitration award in favor of Mrs. Mildred Karch, operator of the Ritz, Rolla, Mo., complainant in a some run case against the five consenting companies, was handed down at the local board by John J. Nangle, arbitrator. The award is the first won by a complaining exhibitor in the six cases heard here.

CHICAGO, Nov. 23.—The clearance complaint of the G. C. S. Circuit, operating the Portage here, against the five consenting companies, was dismissed at the local arbitration board Friday by agreement of all parties.

The withdrawal followed the deal last week by which Balaban & Katz will take over G. C. S.'s Portage, Drake and Admiral.

'Hi Gang' Is Called Effervescent Film

London, Nov. 23.—The Gainsborough production, "Hi Gang," previewed here at the Shepherd's Bush Pavilion, is an inspired film which scored a preview bullseye. The BBC program stars, Bebe Daniels, Ben Lyon and Vic Oliver, are seen in an effervescent comedy devised around the rivalry between Miss Daniels and Lyon and American broadcasting companies. The effective setting is chiefly in the U. S.

The performances are packed with vitality, and there is excellent use of comedy and music. A BBC show is the climax. Apparently certain of box-office success here, the film also should do well in the U. S. market. Maurice Ostrer and Ted Black produced.

Flanagan

'Purchase' Will Be Offered Separately

CHICAGO, Nov. 23.—Paramount will sell "Louisiana Purchase" separately, it was announced here yesterday at the company's sales meeting at the Drake Hotel. National release will be Dec. 25 to obtain holiday playing time, with the exception of Chicago, St. Louis, Boston, Philadelphia and Detroit, where the stage show is booked.

Paramount will not ask exhibitors to raise admissions on the picture, it was stated, but will reportedly insist on preferred playing time after key runs. The picture will be given a newspaper and magazine campaign on which about $100,000 will be spent, it was stated. The meeting was told that exchanges will use 350 prints on the film, 100 more than the usual number for the United States. The number is the same as used for "Northwest Mounted Police."

Neil F. Agnew, general sales manager, presided at the meeting, which ended yesterday following discussion of the company's third block-of-five and matters pertaining to consent decree selling.

'Night of Stars' to Be Held on Wednesday

(*Continued from page* 1)

ers is Mayor F. H. LaGuardia, whose chore for evening will be leading an orchestra composed of outstanding band leaders. Also slated to appear are the Music Hall Rockettes, the Roxy's Gae Foster Girls, and the stars of five Broadway musicals. Also on the program are an international news roundup, a skit featuring Groucho Marx and Gloria Stuart, the Hollywood "Sweater Girl Revue," Ralph Edwards of the "Truth and Consequences" radio program, Fred Waring with his orchestra and glee club, and others.

20th-Fox Party Today

Twentieth Century-Fox will hold a preview of Mark Hellinger's film, "Rise and Shine" this afternoon at Toots Shor's Restaurant, in conjunction with a cocktail party.

Griffis Acquisition Of Para. Stock Is Reported by SEC

WASHINGTON, Nov. 23.—Acquisition by Stanton Griffis, chairman of the executive committee of Paramount Pictures, of 1,000 shares of that company's common stock in September is reported in the final summary for that month by the Securities and Exchange Commission.

The SEC report showed also that Griffis made an exchange of 1,000 shares of Paramount second preferred stock for 900 shares of common, and that Maurice Newton, director, exchanged 2,810 shares of the second preferred for 2,529 shares of common. At the close of September, it was reported, Newton held 10,647 shares of common stock and Griffis 7,500 shares direct and 22,900 shares through four trusts.

The only other September transaction reported was the sale of 200 shares of General Theatres Equipment capital stock by R. B. Larue, leaving him with 400 shares.

Locals to Get IA Financial Report

(*Continued from page* 1)

William Bioff were paid by Browne under special by-laws passed at the 1940 convention, Walsh said. Nothing further has been paid since Browne resigned, Walsh asserted.

Bioff has filed an election to start serving his sentence, it was learned, although Browne is still insisting on his right to remain at the Federal House of Detention pending determination of his appeal. Time spent at the House of Detention is not credited to the sentence. However, if a prisoner elects to do so, he may be transferred to a Federal penitentiary where he receives credit for time spent if the conviction is ultimately upheld.

Televise Title Basketball

The 20th Century-Fox studio basketball team, winner of the 1941 A.A.U. championship, will meet the Philips 66 team, winner of the 1940 title, in a championship game for the Golden Jubilee cup at Madison Square Garden tonight. The game will be televised by NBC and the final 15 minutes of the play will be broadcast by CBS.

WNEW Changeover Dec. 1

Changeover of wave lengths and power between WNEW and WOV will take place Dec. 1, it was announced over the weekend. Both stations will retain their present studios and officers, it was said.

Rites for Exhibitor

GRAPEVINE, TEXAS, Nov. 23.—Funeral services were held here for J. K. Buckner, 44, owner of the Palace here, and vice-president of Tarrant County National Bank. His wife, two sons, and a sister survive.

Buehrig in Cleveland

CLEVELAND, Nov. 23. — Adolph Buehrig, Jr., formerly manager of Loew's theatres abroad, is the new manager of Loew's State here, succeeding Chick Evens.

Larger Scope Set for USO Camp Shows

(*Continued from page* 1)

which will open Thursday. Approximately $850,000 has been made available by the USO for the Camp Shows program.

Present funds will allow for 11 to 14 road companies but efforts are being made to provide 20 or 25 such shows. Special programs arranged outside the regular schedules will cost little as featured players in the talent pool will donate their services. All unions involved have agreed to lower their minimum scales from 15 to 3 per cent, it was said.

Lastfogel, Doob Aides

Oscar Doob, publicity and advertising head for Loew's Theatres, will handle national publicity. Abe Lastfogel, representing the Artists Managers Guild of Hollywood, will take an unsalaried but active post as assistant to Dowling. Morgan Wallace will be assistant to Arnold.

In recognition of the unions accepting lower minimums, Camp Shows has promised continuity of employment. Three package shows have been purchased at average prices of $2,200-$2,300 a week it was said.

New members appointed to the board were Arnold; Lawrence Tibbett, American Guild of Musical Artists president; George Schaefer, RKO president; Morton Downey, American Guild of Variety Artists president; Mark Woods, NBC treasurer; Charles Koerner, RO Theatres general manager; Joseph Hazen, Warner attorney; Henry Jaffe, union lawyer; Emily Holt, American Federation of Radio Artists executive secretary; Emil Friedlander, theatrical costumer; Lawrence W. Lowman, CBS vice-president; Brock Pemberton, theatrical producer, and Edward Johnson, Metropolitan Opera general manager.

Others on Board

Other members of the board are Dowling; Frank Gillmore, Associate Actors and Artistes of America president; Lastfogel; Harper Sibley, USO president; Walter Hoving, USO chairman of the board; Bert Lytell, Actors Equity president; Lee Shubert, theatrical producer; Y. Frank Freeman, Paramount vice-president in charge of production and Association of M. P. Producers president; Clarence Michalis, Seaman's Bank, and Lawrence Phillips, Camp Shows executive vice-president.

Theatres Give USO Largest Contribution

Motion picture theatres accounted for the largest single contribution to the United Service Organization's drive, Thomas E. Dewey, national drive chairman, revealed in a letter to Joseph Bernhard, chairman of the theatre drive committee.

Acknowledging receipt of the theatre's drive check for $943,684, Dewey wrote: "This is a grand result. The committee rendered a very great service both to the USO and, I believe, the nation."

A BOX OFFICE BALL OF FIRE"



R K O RADIO PICTURES INC.

RKO BUILDING ROCKEFELLER CENTER NEW YORK RADIO CITY

November 13th, 1941

OFFICE OF THE VICE PRESIDENT

Mr. Samuel Goldwyn
7210 Santa Monica Boulevard
Los Angeles, California

Dear Sam:

Now that I'm back in New York after the preview of BALL OF FIRE and have had time to reflect on its qualities, I want to tell you that the memory lingers on. It has been a long time since I have seen a picture so completely satisfying as this latest production of yours. It is genuine entertainment, Sam, healthy and happy, full of fun and originality. The blending of comedy with romance and sentiment will make it, in my opinion, a box office ball of fire. You and everyone concerned in its making can take a bow.

Having read the script and knowing the splendid cast you had assembled, I was prepared to see a fine picture when I went to Hollywood, but BALL OF FIRE exceeded my fondest expectations. Gary Cooper has never had a role better fitted to him than that of Professor Potts and Barbara Stanwyck, fine actress that she is, was a revelation as "Sugarpuss" O'Shea, the night club "Ball of Fire" who burns up "Pottsy". The seven professors who learn about life from "Sugarpuss" furnish as delightful fun as I've ever seen and every member of the cast is excellent. Howard Hawks' work is brilliant. He has given the show pace and excitement as well as masterful direction. Needless to say, Gregg Toland's camera is still full of miracles.

I can assure you, Sam, that every member of our organization considers it a great privilege to distribute your productions and we are more than happy about BALL OF FIRE. It's a picture that will delight every patron and one that will start every exhibitor's New Year off just right.

Congratulations and best wishes,

Cordially,

Ned

Ned E. Depinet



Are You the "ALL YOUR EGGS IN ONE BASKET" Kind Of Showman ?

Do you rely entirely on one method of advertising?

If you do, *DON'T!* You'll never hit the high-spots unless you hit hard everywhere.

Lots of people out for a walk will "go for" a good poster display or a dramatic 24-sheet. Lots of people out for a stroll look in windows. Lots of people ambling along are attracted by bright lights and colorful display.

Don't put all your advertising eggs in one basket. Spread them around. Yell your head off with good, readable, colorful, peppy posters, banners, flyers, snipes, novelties, displays.

Use your head. It will show on the *BLACK* side in your box office.

SELL MORE SEATS with NATIONAL Screen SERVICE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 103 NEW YORK, U. S. A., TUESDAY, NOVEMBER 25, 1941 TEN CENTS

'Skylark' and 'Havana' Big; B'way Strong

Students' Holiday Helps Maintain Pace

With a school holiday Friday, Broadway generally had a weekend of good grosses, while the income at four first runs, the Music Hall, Paramount, Roxy and the Strand, maintained the pace set Thursday, Thanksgiving Day, when all box-offices experienced a boom.

"Skylark" with Harry James' orchestra and Ray Bolger brought the Paramount an estimated $27,000 Saturday and Sunday. The first week which ends tonight will be good for an estimated $66,000, it is expected.

Columbia's "You Belong to Me" will open at the Roxy Friday following the three-week run of "Week-End in Havana." The latter with a stage show did an estimated $24,400 Friday through Sunday.

"Suspicion" with a stage presentation at the Radio City Music Hall at an unusually high mark estimated

(Continued on page 6)

Legion Cites Gain in Objectionable Films

The National Legion of Decency yesterday issued a statement pointing to a decrease in the number of films classified as unobjectionable for general patronage during the past five years, and an increase in those rated objectionable in part. The statement follows:

"During the period from February, 1936, to November, 1941, there has been a decrease of approximately 10 per cent in the number of films classified by the Legion of Decency as unobjectionable for general patronage. Over the same period, there has been

(Continued on page 6)

No Successor as Yet To Connors at M-G-M

HOLLYWOOD, Nov. 24.—William F. Rodgers, Loew's vice-president and general sales manager, said today he has "nothing to announce at the moment" concerning a successor to T. J. Connors, who is resigning his post of Eastern, Southern and Canadian sales manager for Loew's to become assistant to Sidney R. Kent, 20th Century-Fox president.

Rodgers and Nicholas M. Schenck arrived today for studio conferences on new product and release dates.

Decision Today on Leserman to U.A. As Sales Manager

A decision whether Carl Leserman will join United Artists is expected to be made today. Should he join the company he will be general sales manager under Gradwell L. Sears, vice-president in charge of distribution.

A decision regarding Leserman has been in abeyance pending his determination whether he would associate with another company. It appeared, however, that he would yield to Sears' wishes. Leserman formerly was assistant to Sears when the latter was general sales manager of Warners.

Whether Charles Stern, Chicago district manager for U. A., will be appointed Western and Canadian sales manager to succeed Haskell Masters is as yet undetermined. Stern arrived yesterday from Chicago.

Cresson E. Smith, Western division manager for RKO, resigned yesterday to become associated with United Artists in a new sales post under Sears.

David Griesdorf, United Artists branch manager at Los Angeles, has resigned and will become associated

(Continued on page 6)

Foreign Department Managers to S. A.

Arthur M. Loew, vice-president of Loew's in charge of foreign activities, left yesterday for South America. He departed by train for Miami, where he will take the clipper.

Joseph H. Seidelman, Universal vice-president and export manager, left for Rio de Janeiro yesterday by plane to preside at sales meetings there and in Buenos Aires.

George Weltner, assistant foreign department of manager of Paramount, has been in South America for about two weeks.

Exempt Radio Time From Price Measure

Washington, Nov. 24.—Specific exemptions of radio time, newspapers and periodicals is contained in the corporation licensing provision restored to the price control bill today by the House Banking Committee. The exemption is seen as strengthening the Administration intent not to make price controls applicable to advertising. Otherwise, the bill permits the Government to place virtually every business under a rigid licensing system to enforce price controls.

RKO Realignment Reported to Board

A committee of the RKO board of directors reported to the full board yesterday on the proposed reorganization of the company's policies and setup under the full authority of George J. Schaefer, president. No action is reported to have been taken by the board and the matter remains in status quo until Friday, Dec. 5, when the board is scheduled to meet again.

Schaefer left last night for the Coast. It is reported that certain changes are to be made in the studio's executive personnel, under Joseph I. Breen.

It is said that the committee's report called not only for realignment of the board's functions and services of members, but included recommendations regarding a reduction in the number of directors. The report also is said to contemplate dissolution of the executive committee.

Monogram Product Now Available for Television

First of the national distribution companies to make its product available to television is Monogram, it was learned yesterday, which has made a deal with NBC for its 1937-'38 product and will continue with its more recent pictures. A number of Monogram films already have been screened by WNBT, the NBC television station here.

Until recently, NBC has had to rely exclusively on independent product and old films which were distributed by one of the national distributors but

(Continued on page 8)

Milstein to Reveal New Affiliation Soon

J. J. Milstein, formerly personal representative for Edward Small and David Loew, United Artists producers, has returned from the Coast. Except to state that he is considering a couple of propositions, he said that he has no immediate plans. He said that he expects to announce a new affiliation in the near future.

Metro Forum, ITO Meeting In Ohio Today

Theatre Clinic Highlights Columbus Session

COLUMBUS, O., Nov. 24. — The ninth annual convention of the ITO of Ohio will get under way at the Deshler Wallick Hotel here tomorrow, and at the same hotel in conjunction with the ITO meeting will be held the first M-G-M Exhibitor Forum, designed to assist smaller exhibitors, particularly, in increasing theatre patronage.

Advance registration for the two-day ITO convention indicates a large exhibitor attendance representing about 500 houses in Ohio. Exhibitors attending will be the guests of M-G-M at luncheon tomorrow.

The ITO banquet will be held tonight, with Martin G. Smith, president, presiding, and P. J. Wood, secretary, as toastmaster. Carol Bruce, Universal player, will be guest of honor. Abram F. Myers, general counsel of national Allied, will be the chief speaker, and state officials are

(Continued on page 6)

700 at Pittsburgh Dinner for Kalmine

PITTSBURGH, Nov. 24.—About 700 persons attended the testimonial dinner here tonight to Harry Kalmine, Warner theatres executive and former zone manager for the circuit here, at the William Penn Hotel.

John Harris, national chief barker of the Variety Clubs, presented the guest of honor with a check for $3,500, net proceeds of the dinner, to be used to build a Kalmine recreation hall at Camp O'Connell for under-privileged boys, and a diorama of the camp as a

(Continued on page 6)

Allied Unity Meet On Dec. 9, Report

DES MOINES, Nov. 24. — The all-industry conference sponsored by Allied States has been called for Dec. 9 at the Blackstone Hotel in Chicago, it was reported here at the convention of Allied Independent Theatre Owners of Iowa and Nebraska.

The convention opened with a luncheon at the Savery Hotel attended by 125 exhibitors, film men and cir-

(Continued on page 6)

Approve Sunday Films in N.C. Town

Salisbury, N. C., Nov. 24.—The City Council here has unanimously approved Sunday films, with theatre operation from 1:45 to 6 P.M., and from 8:45 to midnight. The clergy had protested the Sunday plan. During the recent war maneuvers in this area, local houses were permitted to open on Sunday.

Browne Elects to Start Prison Term

George E. Browne has followed the lead of William Bioff and has filed an election to start service of his sentence at once, it was learned yesterday. Bioff filed his election last week.

Unless such an election is filed, the prisoners are kept at the Federal House of Detention here until final determination of their appeals, but get no credit for time spent. Neither Bioff nor Browne is expected to be transferred to the penitentiary for about two weeks, it was said yesterday, as they are being examined by the U. S. Attorney's office concerning their financial ability to pay the $20,000 fine imposed on each.

Personal Mention

BARNEY BALABAN and STANTON GRIFFIS have arrived on the Coast for a two weeks visit at the Paramount studio.

•

SAMUEL GOLDWYN, delayed in his departure from the Coast last weekend now is scheduled to arrive in New York Thursday.

•

DAVID ROSE, Paramount managing director for Great Britain, is in Lisbon awaiting a plane to New York.

•

MAX MILDER, Warners managing director for Great Britain, is scheduled to leave London early next month for New York.

•

LARRY O'TOOLE, Paramount manager in Panama, arrived here yesterday.

•

A. A. SCHUBART of RKO left for Detroit last night.

•

VINCENT R. MCFAUL, president of Buffalo Theatres, Inc., has been elected a director of the Liberty Bank of Buffalo.

ARMANDO, head of the art department of the Buchanan advertising agency, received his final citizenship papers yesterday.

•

ARTHUR W. KELLY, United Artists vice-president and finance committee chairman, plans to leave for the Coast at the end of the week.

•

WILL H. HAYS arrived on the Coast yesterday.

•

MONROE GREENTHAL, DAVID E. WESHNER, A. MARGOLIES and MORRIS HELPRIN arrived from the Coast yesterday.

•

STANLEY CHASE, Paramount special representative in Mexico City, arrived by plane yesterday. He will return to Mexico City about Dec. 10.

•

FRANK GRILL, former assistant manager of the Astor, Reading, Pa., has been inducted into the Army.

•

JOSEPH MARTELLO, assistant manager of the Saenger in New Orleans, has been called to the Army.

Ampa Will Honor Harris, O'Donnell

John H. Harris of Pittsburgh, national chief barker of the Variety Clubs of America, and R. J. O'Donnell of Dallas, national assistant chief barker, have been invited to be guests of honor at an Ampa meeting here Dec. 11, it is reported.

S.P.G. Talks With Majors Broken Off

Negotiations between the Screen Publicists Guild and home office publicity departments have been broken off, the S. P. G. announced yesterday. "The S. P. G. will now take appropriate action on all public and labor fronts," the announcement stated.

High Court Refuse Nick, Weston Revie

WASHINGTON, Nov. 24.—Refusir to upset a verdict of the lower Fe eral courts, the U. S. Supreme Cou today refused to review the convi tions of John P. Nick, internation vice-president, and Clyde A. Westo business manager, of the St. Lou IATSE, found guilty of racketeerir and sentenced to five years' impriso ment and $10,000 fine.

Nick and Weston were charged w having taken over the St. Louis loc and with asking the exhibitors of th city for new contracts at what t Government described as "ruinou wages." They settled for much low wage rates and, it was charged, a sured the exhibitors there would l no trouble if they paid off. They we charged with asking for $10,000 p house, but the Government brief cit a "payoff" of $6,500 in one case, whi was made through a third party.

The appeal of the two unionists w based on a challenge of the constit tionality of the anti-racketeering la and contentions that hearsay testimor was accepted by the court. The tw men contended that their activiti had never interfered with the distr bution of films.

Hellinger Picture Shown for Pres

An attendance of about 125, inclu ing newspapermen, sports editors a sports celebrities, attended a screeni of "Rise and Shine," 20th Centur Fox football picture, at Toots Sho Restaurant yesterday afternoon. reception for Mark Hellinger, pr ducer of the film, and Don Amec and Linda Darnell was held followi the showing.

Among those present were Gran land Rice, Bill Corum, Jack La Felix Jenkins, Harvey Day, Sr., Wi liam Clark, A. M. Botsford, To Wenning, Gradwell Sears, Glad Glad, Joe Di Maggio, Hank Da ning, Jack Alicoate, Richard Vidm Jimmy Powers, Bob Considine, D Parker, Burris Jenkins, Joseph Co nolly, William Boehnel, Harry Hers field, Lou Little, Frank Sulliva Clem McCarthy, Ted Husing, Jo Lardner, Danton Walker, Jack Sich man, Irving Kahn, Earl Wingart, Ir ing Maas, Jack Bloom, Joe Shea, B Higgins and Ramos Cobian.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CARY GRANT . JOAN FONTAINE
"SUSPICION"
An RKO-RADIO Picture
ON THE GREAT STAGE: "NICE GOING"
—Leonidoff's gay spectacular revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

CLAUDETTE COLBERT
RAY MILLAND
BRIAN AHERNE
in Paramount's
"SKYLARK"
IN PERSON
HARRY JAMES
AND BAND
Extra: RAY BOLGER
PARAMOUNT Times Square

CARMEN CESAR ALICE JOHN
MIRANDA-ROMERO-FAYE-PAYNE
'WEEK-END in HAVANA'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
GARY COOPER
"SERGEANT YORK"
Joan Leslie—Walter Brennan

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

★ ★



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THE PLAINSMAN
THE SOUTHERNER
THE SUN COUNTRY SPECIAL

Lv. New York 4:30 pm and 4:45 pm
Ar. Dallas-Ft. Worth 1:28 am and 2:18 am
Ar. Los Angeles 7:47 am and 8:47 am

Lv. New York 5:25 pm
Ar. Dallas-Ft. Worth 2:55 am
Ar. Los Angeles 9:47 am

Lv. New York 11:20 pm
Ar. Dallas-Ft. Worth 8:52 am
Ar. Los Angeles 4:02 pm

Lv. New York 6:30 am
Ar. Dallas-Ft. Worth 4:58 pm
Ar. Los Angeles 1:26 am

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A MUSICAL WESTERN WITH OOMPH!

GO WEST, YOUNG LADY



SONGS WITH A SOCK!

THRILLS WITH A WHAM!

ROMANCE THAT'S A WOW!

PENNY SINGLETON

CHARLIE RUGGLES · ALLEN JENKINS · BOB WILLS and his TEXAS PLAYBOYS

GLENN FORD ★ ANN MILLER

Produced by ROBERT SPARKS · Directed by FRANK R. STRAYER · Screen play by Richard Flournoy and Karen DeWolf

The top tune-and-laugh-filled thriller-diller of the West! Rare and rowdy novelty entertainment...alive with gayety and gunfire, fightin' and fun!

COLUMBIA PICTURES

Released Nov. 27th

Studios Start 10 New Films; 44 Shooting

HOLLYWOOD, Nov. 24.—Forty-four pictures were before the cameras this week as 10 started and eight finished. Twenty-six are being prepared, and 76 are being edited.

Paramount started five during the week, making a total of eight in work on that lot.

The tally by studio:

Columbia

Finished: "The Man Who Returned to Life," "Lawless Plainsmen."

In Work: "Martin Eden," "Shut My Big Mouth."

Started: "Trinidad."

M-G-M

Finished: "China Caravan."

In Work: "Out of the Past," "I'll Take Manila," "Rio Rita," "Mrs. Miniver," "Born to Sing," "I Married an Angel," "We Were Dancing."

Monogram

Finished: "Snuffy Smith, the Yard Bird."

Started: "Forbidden Trail."

Paramount

Started: "Holiday Inn," "Mr. and Mrs. Cugat," "My Favorite Blonde," "American Empire," "I Live on Danger."

In Work: "Out of the Frying Pan," "This Gun for Hire," "True to the Army."

RKO

Finished: "Valley of the Sun."

In Work: "Syncopation," "The Magnificent Ambersons," "The Tuttles of Tahiti," "The Falcon Takes Over," "The Mayor of 44th Street."

Republic

Finished: "Lady for a Night."

Roach (U. A.)

In Work: "Brooklyn Orchid."

20th Century-Fox

Finished: "On the Sunny Side," "Son of Fury."

In Work: "Tales of Manhattan," "To the Shores of Tripoli," "A Gentleman at Heart," "You Can't Always Tell," "Song of the Islands," "Roxie Hart."

Universal

In Work: "Mississippi Gambler," "The Wolf Man," "Temporary Bride."

Started: "Tough As They Come."

Warners

In Work: "In This Our Life," "Ake Girl," "Always in My Heart," Arsenic and Old Lace," "Larceny, Inc." (formerly "The Night Before Christmas").

Mirror's' Medal to Flynn on Thursday

The *Sunday Mirror Magazine's* mo-on picture medal of merit, won by Errol Flynn in a popularity contest sponsored by the publication, will be presented to the actor by Lee Mortimer, *Mirror* film critic, on the stage of the Strand Thursday evening.

Bette Davis, who won the top honors in the feminine division of the contest, will be awarded a medal later this month in a Coast ceremony.

Notes from Hollywood

Hollywood, Nov. 24

IN the production news of Hollywood stars and featured players were cast, directors assigned, writers given assignments and stories purchased. GEORGE MONTGOMERY, being rushed to prominence at 20th Century-Fox, will be given star billing in "Ten Gentlemen from West Point." JOHN HOWARD was set for "That Certain Lady" opposite MARGARET LINDSAY at Republic. Looking into the 1942-'43 season, RKO signed TIM HOLT to do six more westerns, first of which will be shot in March. He has finished three of the current year's program. At the same time, that studio also made a deal with 20th Century-Fox for the services of GEORGE SANDERS, to insure his appearance in the "Falcon" detective stories next year.

• •

Twentieth Century-Fox purchased the novel, "My Friend, Flicka," by Mary O'Hara, for a possible Roddy McDowell vehicle. M-B-M bought "Journey for Margaret," story of a London child evacuee by W. L. White, foreign correspondent and son of William Allen White. It is thought that Robert Young might have the male lead.

• •

Universal gave PATRIC KNOWLES, late of the Royal Canadian Air Force, a term contract. He's now working in "The Wolf Man," formerly titled "Destiny." . . . MAUREEN O'HARA will play opposite THOMAS MITCHELL in RKO's "One Hour of Glory," MARY ROBERTS RINEHART story which that studio obtained from Warners. . . . DOROTHY LOVETT, the feminine lead of the abandoned "Dr. Christian" series, has been given the lead of "Powder Town" at RKO. JOAN LESLIE, the feminine lead of "Sergeant York," draws the lead opposite JAMES CAGNEY in "Yankee Doodle Dandy," at Warners. In that picture, too, will be IRENE MANNING, light opera and concert star recently signed.

• •

Leon Schlesinger's Merrie Melodies and Looney Tunes cartoon workers are working on a short featuring Bugs Bunny singing "Any Bonds Today?" which will be given to the U. S. Treasury Department for use in the defense savings drive.

• •

HOWARD ESTABROOK has been signed by Warners to adapt the best seller, "Country Lawyer," by BELLAMY PARTRIDGE. . . . VEDA ANN BORG and FRANK JENKS join the cast of Columbia's "Martin Eden." EVANGELINE RUSSELL BLACKTON, widow of J. STUART BLACKTON, industry pioneer, makes a comeback in Paramount's "Out of the Frying Pan." RUDY VALLEE will have a character role in "The Palm Beach Story," PRESTON STURGES picture starring CLAUDETTE COLBERT and JOEL MCCREA.

• •

Monogram has 11 pictures completed ahead of schedule and awaiting release dates. Four more productions will be completed before Christmas, making a total of 16 features and nine westerns. . . . TOMMY DORSEY and his band have been set for M-G-M's "I'll Take Manila." . . . Warners has changed the title of "The Night Before Christmas" to "Larceny, Inc." Title of "Doan of the U. S. A.," once known as "Steel Cavalry," is now "The Bugle Sounds."

St. Louis Grosses Are Generally Off

ST. LOUIS, Nov. 24.—Grosses fell off here, principally due to competition offered by "Hellzapoppin" at the American. "Hot Spot" was the only film to do better than average.

Estimated receipts for the week ending Nov. 19:

"International Lady" (U.A.)
"Married Bachelor" (M-G-M)
LOEW'S—(3,162) (30c-40c-44c-56c) 7 days. Gross: $11,500. (Average, $13,000).
"You Belong To Me" (Col.)
"Mexican Spitfire" (RKO)
AMBASSADOR—(3,018) (30c-40c-50c) 7 days. Gross: $9,500. (Average, $11,500).
"Maltese Falcon" (W.B.)
"International Squadron" (W.B.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $3,800. (Average, $4,000)
"Hot Spot" (20th-Fox)
"Never Give A Sucker An Even Break" (Univ.)
FOX—(5,039) (30c-40c-50c) 7 days. Gross: $11,500. (Average, $11,000).
"Week-End in Havana" (20th-Fox)
"Yank in the R. A. F." (20th-Fox)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,200. (Average, $2,600).

Heenan Rites Today

PHILADELPHIA, Nov. 24.—Funeral services will be held here tomorow for William J. Heenan, 58, Paramount salesman, who died last Thursday in Jefferson Hospital following an operation. He is survived by his widow, Nellie; a daughter and a son.

'Skylark' at $13,000 Is Baltimore Winner

BALTIMORE, Nov. 24.—"Skylark" did well with $13,000 for a second week at Keith's. "Sergeant York" took $17,500 in the fifth week at the Stanley.

Estimated receipts for the week ending Nov. 19:

"The Chocolate Soldier" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $11,000. (Average, $10,000)
"Skylark" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $13,000. (Average, $9,000)
"Great Guns" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 9 days. Gross: $8,500. (Average, $7,000)
"Sergeant York" (W.B.)
STANLEY—(3,280) (40c-44c-55c-66c) 7 days, 5th week. Gross: $17,500. (Average, $12,000)
"Texas" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Charles Barnett & Orchestra. Gross: $17,-000. (Average, $14,000)

Allen Takes Four Canadian Houses

OTTAWA, Nov. 24.—Four theatres operated by the O'Brien Ottawa Valley Circuit have been purchased by Raymond Allen of Toronto.

The transaction is one of the largest deals in Eastern Canada in some time. The theatres concerned in the sale are located in Renfrew, Arnprior, Amonte and Pembroke.

Short Subjec Reviews

"Main Street, U.S.A."
(March of Time)
(RKO)

This latest subject in the March Time series centers its attention Manchester, N. H., taken as a typi American small town, to picture effect of the war's impress upon United States. Lacking something the dramatic movement characteri of many of the series, it nonethel offers a significant and timely thei Forceful and effective is the device picturing what life under Hitle new order would be like in M chester, N. H., by showing sto troopers in action, censorship, rati ing, racial discrimination, concent tion camps and mass executions in American setting. The contrast w the American way of life is sha and tells its own story The reel h an essential value in pointing up necessity of an unflinching defense fort by the whole country, and sho ing the manner in which a typi family, that of Bill Davis of M chester, responds to its countr need. Running time 18 mins. Rele Nov. 21, 1941.

"Sittin' Pretty"
(Grantland Rice Sportlight)
(Paramount)

This offers crisp and thorough c erage of how to ride a horse. It done in an interesting and enlight ing fashion, showing the varied te niques of experts in the field. T reel opens with the American Ind riding without a saddle, and then f lows through on the lightwei jockey atop a thoroughbred, stude and instructors at a New York sch of horsemanship, bronco busting, ti ber topping, and finally trick ridi It is a good sports short, which, course, will impress amateur equ trians especially. Running time, mins. Release, Oct. 31, 1941.

"Viva Mexico"
(Miniature Series)
(M-G-M)

Camera glimpses of the more p turesque centers of Mexico, from s ports to the capital, done in co with good descriptive commentary the Fitzpatrick crew, provide t reel with enough material to mak an acceptable addition to any p gram. Running time, 9 mins. lease, Nov. 1, 1941.

"Popular Science, J1-2"
(Paramount)

Five subjects are the concern this and each offers modest enterta ment, making for a short that co pares favorably with its predecess in the series. It begins with highway connecting Pittsburgh Harrisburg. Following are an ul modern kitchen, a microscope wh magnifies atoms, an amusing mom with "Professor Oakes" and anot of his crackpot inventions, and fina the U. S. Forest Service in acti Running time, 11 mins. Release, N 7, 1941.

Cadets', Show Boston Gross Hits $25,500

BOSTON, Nov. 24. — Despite the odeo appearing at the Boston Gar- n grosses held up well. Kay Kyser nd his orchestra coupled with "Fly- g Cadets" at the Keith Boston drew strong $25,500.

Estimated receipts for the week nding Nov. 12-14:

Flying Cadets" (Univ.)
KEITH BOSTON—(2,697) (30c-40c-44c-55c-5c) 7 days. Vaudeville including Kay Ky- er and his orchestra. Gross: $25,500. Average, $8,000)
It Started With Eve" (Univ.)
Man at Large" (20th-Fox)
KEITH MEMORIAL—(2,907) (30c-40c-44c-5c) 7 days. Gross: $16,400. (Average, 6,000)
Birth of the Blues" (Para.)
Among the Living" (Para.)
METROPOLITAN — (4,367) (28c-30c-40c-4c-55c) 7 days. Gross: $19,000. (Average, 15,500)
"International Squadron" (W. B.)
"New Wine" (U. A.)
PARAMOUNT — (1,797) (28c-30c-40c-44c-5c) 7 days. Gross: $9,900. (Average, $7,-00)
"International Squadron" (W. B.)
"New Wine" (U. A.)
FENWAY—(1,320) (28c-30c-40c-44c-55c) 7 days. Gross: $6,400. (Average, $4,500)
"The Maltese Falcon" (W. B.)
"Our Wife" (Col.)
SCOLLAY—(2,500) (28c-30c-40c-44c-55c) 7 days, 3rd run. Gross: $4,200. (Average, $4,000)
"You Belong to Me" (Col.)
"Texas" (Col.)
LOEW'S STATE—(3,000) (30c-40c-44c-55c) 7 days. Gross: $15,600. (Average, $12,000)
"You Belong to Me" (Col.)
"Texas" (Col.)
LOEW'S ORPHEUM—(2,900) (30c-40c-44c-55c) 7 days. Gross: $18,800. (Average, $17,-500)

'Jekyll' Captures $16,200 in Newark

NEWARK, Nov. 24.—"Dr. Jekyll and Mr. Hyde" at Loew's drew $16,200. while "A Yank in the R.A.F." at Proctor's chalked up $15,800.

Estimated receipts for the week ending Nov. 11-13:

"It Started With Eve" (Univ.)
"Harmon of Michigan" (Col.)
WARNERS' BRANFORD—(2,840) (28c-33c-44c-55c-65c-75c) 7 days. Gross: $14,800. (Average, $14,000)
"Dr. Jekyll and Mr. Hyde" (M-G-M)
"Tanks a Million" (U. A.)
LOEW'S STATE—(2,589) (33c-44c-55c-65c-75c) 7 days. Gross: $16,200. (Average, $13,750)
"Nothing But the Truth" (Para.)
"Doctors Don't Tell" (Rep.)
PARAMOUNT-NEWARK—(2,200) (33c-44c-55c-65c-75c) 7 days, 3rd week. Gross: $13,400. (Average, $13,750)
"A Yank in the R.A.F." (20th-Fox)
"Unexpected Uncle" (RKO)
RKO PROCTOR'S—(2,289) (33c-44c-55c-65c-75c) 7 days. Gross: $15,800. (Average, $14,500)
"Down Mexico Way" (Rep.)
ADAMS—(2,100) (33c-44c-55c) 7 days. Stage: Ina Ray Hutton and band. Gross: $13,000. (Average, $12,500)
"Pepe Le Moko" (Mayer-Burstyn)
LITLE—(299) (44c55c) 7 days, 3rd week. Gross: $1,200. (Average, $1,800)

U.A. Acquires S. A. Film

United Artists has acquired the Latin American rights to "Sinfonia Argentina," musical to be produced in Buenos Aires by Sur Art Films, Walter Gould, U. A. foreign manager, has announced.

Blake Finishes Short

The second of a series of "Kitchen Quiz" shorts, starring Ed East and Polly, and produced by B. K. Blake for Columbia, has been completed.

Review

"Old Mother Riley's Circus"

(Anglo-American)

London, Oct. 30 (By Mail)

ALTHOUGH the comedy of Arthur Lucan has no obvious appeal outside these isles, it should illustrate a study of what British audiences laugh at and why. Lucan, who has expanded from small time vaudeville to radio and music hall fame, is today among the box-office leaders. Probably only a country where pantomime has come to mean something at the theatre will understand the wherefor.

This latest and probably most ambitious of his comedies is wrapped around a circus which in the end turns out to belong to Old Mother Riley herself. There is a shy shaft of maternal sentiment and note of romance, but the whole development is slapstick, with the grotesque old dame in the tattered skirt and faded bonnet, prancing and prattling away in the garb of a fortune teller, a Countess, a cinema usherette and a circus clown. Not for a moment does the electric vitality of Lucan wane, never for a flash does he aim any further ahead than the bleachers.

Production qualities are adequate, but the direction by Thomas Bentley, a pioneer among British directors, will not ruffle Hollywood.

Running time, 70 minutes. "G."* AUBREY FLANAGAN

**"G" denotes general classification.*

'Havana' Tally Is $20,500 in Capital

WASHINGTON, Nov. 24.—The Armistice holiday contributed toward grosses above average. "Week-End in Havana," with vaudeville at Loew's Capitol, led with $20,500.

Estimated receipts for the week ending Nov. 12-13:

"You Belong To Me" (Col.)
WARNER'S EARLE — (2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Pinky Tomlin, Great Gretonas, Geraldine and Joe, Roxyettes. Gross: $18,400. (Average, $15,000)
"Honky Tonk" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $6,500. (Average, $3,500)
"You'll Never Get Rich" (Col.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days, return engagement. Gross: $6,600. (Average, $4,000)
"It Started With Eve" (Univ.)
RKO-KEITH'S—(1,834) (40c-55c) 7 days. Gross: $15,000. (Average, $10,000)
"Week-End in Havana" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Smith and Dale, Gypsy Markoff, Mata and Hari, Grace McDonald, 16 Rockets. Gross: $20,500. (Average, $15,500)
"A Yank in the R.A.F." (20th-Fox)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $10,500. (Average, $12,000)

'Love' in Toronto Draws Big $11,500

TORONTO, Nov. 24.—"Appointment for Love" at the Uptown Theatre grossed $11,500. "Target for Tonight" and a second feature brought $9,200 to the Imperial for the second week.

Estimated receipts for the week ending Nov. 15:

"The Maltese Falcon" (W. B.)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 days, 3rd week. Gross: $4,000. (Average, $4,500)
"Target For Tonight" (W. B.)
"New York Town" (Para.)
IMPERIAL—(2,074) (18c-30c-42c-60c-90c) 6 days, 2nd week. Gross: $9,200. (Average, $9,000)
"Lady Be Good" (M-G-M)
"Down in San Diego" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days, 2nd week. Gross: $9,000. (Average, $9,000)
"Citizen Kane" (RKO)
SHEA'S—(2,480) (18c-30c-42c-60c-90c) 6 days. 2nd week. Gross: $8,500. (Average, $9,000)
"A Yank in the R.A.F." (20th-Fox)
"We Go Fast" (20th-Fox)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. Gross: $4,700. (Average, $3,900)
"Appointment for Love" (Univ.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $11,500. (Average, $9,000)

'Duanes' and Show $8,000, Kansas City

KANSAS CITY, Nov. 24.—"Last of the Duanes," plus a Major Bowes unit on the stage of the Tower, drew $8,000 in a week of only fair grosses.

Estimated receipts for the week ending Nov. 11-13:

"It Started With Eve" (Univ.)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $3,000. (Average, $2,200)
"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
MIDLAND—(3,600) (30c-44c) 7 days. Gross: $8,500. (Average, $8,500)
"Nothing But the Truth" (Para.)
"Henry Aldrich for President" (Para.)
NEWMAN—(1,900) (30c-44c) 6 days, 3rd week for "Truth." Gross: $5,500. (Average for 6 days, $6,000)
"The Little Foxes" (RKO)
"Hurry, Charlie, Hurry" (RKO)
ORPHEUM—(1,900) (40c-55c) 7 days, 2nd week for "Foxes". Gross: $4,500. (Average, $5,000)
"Last of the Duanes" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Major Bowes Revue, etc. Gross: $8,000. (Average, $6,000)
"It Started With Eve" (Univ.)
UPTOWN—(30c-44c) 7 days. Gross: $5,000. (Average, $4,000)

'Week-End' $7,600 Indianapolis Gross

INDIANAPOLIS, Nov. 24.—First runs did fair business, with "Week-End in Havana" and "Man At Large" taking $7,600 at the Indiana.

Estimated receipts for the week ending Nov. 13-14:

"You Belong to Me" (Col.)
"Lady Scarface" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $6,900. (Average, $6,500)
"Week-End in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,600. (Average, $7,000)
"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 6 days. Gross: $7,300. (7-day average, $8,000)
"Sergeant York" (W. B.)
LYRIC—(2,000) (40c-44c-55c) 7 days, 4th week. Gross: $5,200. (Average, $4,500)

Plan San Antonio Office

SAN ANTONIO, Nov. 24.—Gustav Mohme, who already has established an exchange for Spanish dialogue films in Los Angeles and is planning another in Denver, is preparing an office here. Mohme was general manager of Mexican distribution for 20th Century-Fox.

Seattle Gives 'Blues' Strong $8,700 Gross

SEATTLE, Nov. 24.—"Birth of the Blues" at the Paramount took a strong $8,700. The second week of "You'll Never Get Rich" drew $6,400 at the Liberty. The weather was rainy.

Estimated receipts for the week ending Nov. 14:

"Week-End in Havana" (20th-Fox)
"Lady Scarface" (RKO)
BLUE MOUSE—(950) (30c-40c-58c) 7 days, 2nd week. Moved from Fifth Avenue. Gross: $3,800. (Average, $4,000)
"Smilin' Through" (M-G-M)
"Moon Over Her Shoulder" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-58c-70c) 7 days. Gross: $7,200. (Average, $7,000)
"You'll Never Get Rich" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,400. (Average, $5,000)
"Honky Tonk" (M-G-M)
MUSIC BOX—(950) (30c-40c-58c-70c) 7 days, 3rd week. Moved from Paramount. Gross: $3,700. (Average, $4,000)
"Unfinished Business" (Univ.)
"Sing Another Chorus" (Univ.)
ORPHEUM—(2,450) (30c-40c-58c) 7 days. Gross: $5,900. (Average, $6,000)
"Badlands of Dakota" (Univ.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $4,800. (Average, $5,000)
"Birth of the Blues" (Para.)
"Charlie Chan in Rio" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-58c) 7 days. Gross: $8,700. (Average, $6,000)

'Havana' Scores $22,000 in Detroit

DETROIT, Nov. 24.—Ideal weather helped with the Fox reporting $22,000 for "Week-End in Havana" and "Moon Over Her Shoulder," and the Michigan $14,000 with "The Maltese Falcon" and "Kisses For Breakast."

Estimated receipts for the week ending Nov. 13:

"You'll Never Get Rich" (Col.)
"Ladies in Retirement" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $5,500)
"Kiss the Boys Goodbye" (Para.)
"Tom, Dick and Harry" (RKO)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"Week-End in Havana" (20th-Fox)
"Moon Over Her Shoulder" (20th-Fox)
FOX—(5,000) (20c-39c-44c-65c) 7 days. Gross: $22,000. (Average, $15,000)
"The Maltese Falcon" (W. B.)
"Kisses for Breakfast" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,000. (Average, $12,000)
"New York Town" (Para.)
"Barnacle Bill" (M-G-M)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 3rd week. Gross: $10,000. (Average, $10,000)

Close Mono. Deal For Chile, Bolivia

Norton V. Ritchey, vice-president in charge of foreign operations for Monogram, now in Santiago, Chile, has concluded a deal there with Alros Distributors, headed by L. Alberto Robles Sotomayor, under which the firm will distribute Monogram product in Chile and Bolivia, according to word received here from Ritchey.

The deal calls for handling of 24 Monogram films this season by the Chilean company. Richey plans to go from Chile to Peru, Ecuador and Colombia.

Metro Forum, ITO Meeting In Ohio Today

(Continued from page 1)

expected to attend. Business sessions will be held tomorrow afternoon and Wednesday.

All exhibitors in the territory served by Cleveland and Cincinnati exchanges have been invited to attend the M-G-M Exhibitor Forum, with H. M. Richey, assistant to William F. Rodgers, general sales manager, in charge of exhibitor relations, presiding. William A. Greene of the Bureau of Advertising of the American Newspaper Publishers Association will speak on "Good Newspaper Advertising." Gov. John W. Bricker of Ohio is expected to welcome the exhibitors.

Ferguson to Speak

William R. Ferguson M-G-M exploitation manager, will talk on "Exploitation Ideas That Work," with field staff men on hand. Smith of the Ohio ITO and Edward Salzberg of Bluefield, W. Va., will act as exhibitor spokesmen. Representing M-G-M also will be E. K. O'Shea, Central division manager; J. J. Maloney and H. P. Wolfberg, district managers, and E. M. Booth and F. D. Drew, Cincinnati and Cleveland branch managers, respectively. Ken Prickett, in charge of the M-G-M mobile exploitation unit, "The Show Builder" will be present. Ferguson will preside at a Central division conference of M-G-M field staff representatives at the hotel on Wednesday.

'U' Party for Air Corps

Universal will be host to Air Corps officers from Mitchell Field and recruiting officers at a supper party Wednesday evening at the Hotel Astor, following the local premiere of "Keep 'Em Flying" at the Criterion.



RED CROSS ROLL CALL - NOV. 11-30

Cincinnati Baseball Club Drew 1,237,537

Cincinnati, Nov. 24.—The extent of theatre competition from national baseball here and elsewhere, was seen at the annual meeting of the Cincinnati Baseball Club Co. here, when it was disclosed that the combined home and road attendance at the Cincinnati games was 1,237,537 in 1941. The attendance figures for 1940, however, were 1,517,-064. Powell Crosley, Jr., president of the Crosley Corp., was reelected president and a director of the baseball club.

700 at Pittsburgh Dinner for Kalmine

(Continued from page 1)

personal gift. The camp was begun several years ago by Kalmine, Frank Harris, former Senator, and Ira Cohn for the local Variety Club.

Speakers at the dinner included: Mayor Cornelius D. Scully of Pittsburgh; Joseph Bernhard, Warners vice-president; former New Jersey Governor Harold Hoffman; James H. Greene, executive of the Chamber of Commerce; Edward R. Stirling, national vice-commander of the American Legion; Claire Meeder, president of the musicians local, representing the unions; Al Abrams, sports writer, for the Dapper Dan Club, William Finkel, James Alexander and C. C. Kellenberg, chief barker of the local Variety Club; M. A. Silver, Rev. Homer Flint, Rabbi Solomon B. Freehof, Rev. Lawrence O'Connel and Stanley Kann.

Entertainment was provided by acts from local night clubs and the Stanley Theatre. Among the out-of-town guests in attendance were: Al Schwalberg, Harry Goldberg, Mort Blumenstock, Leonard Schlesinger, George Dembow, Lou Goldberg, A. W. Smith, Jr., Robert Mochrie, Jack Cohn, Charles Kurtzman, Mike Cullen, Harry Mayer, Phil Spitalny and Abe Weiner.

Raftery to Nashville On Crescent Action

Edward C. Raftery, United Artists president and general counsel, will leave for Nashville Friday to represent the company in the closing arguments in the Government's anti-trust suit against the Crescent circuit, United Artists and Universal in Federal court there on Monday.

Raftery will be accompanied by Benjamin Pepper of the O'Brien, Driscoll & Raftery law firm, which also represents Universal in the Nashville suit. Columbia won a dismissal from the Nashville court at the close of the trial last September.

Fights City Operation

CINCINNATI, Nov. 24.—Hyman B. Rose, a taxpayer, who recently filed injunction proceedings to enjoin the city from purchasing the 3,500-seat Music Hall, in bankruptcy proceedings, has withdrawn his suit, and substituted a challenge of the city's plan for operating the property, which it purchased a few weeks ago.

Decision Today on Leserman to U.A. As Sales Manager

(Continued from page 1)

with Empire-Universal Films and Odeon Circuit in Canada under Masters, who now heads these companies. Griesdorf was Eastern representative for James Roosevelt when the latter was producing for United Artists. Previously he was United Artists branch manager at Winnipeg.

J. T. McInerney, United Artists branch manager at San Francisco, has tendered his resignation but it has not yet been accepted by the home office.

Sears did not disclose what Smith's new post with the company would be, but it is assumed that it will be with the West Coast sales organization since Smith's resignation from RKO is known to have derived from his wish to make his home on the West Coast, where he recently purchased a ranch. Smith has been with RKO as Western manager for the past eight years. Prior to that he was Chicago district manager for United Artists.

Sears has taken the office at United Artists formerly occupied by Maurice Silverstone, while Edward C. Raftery, new United Artists president, is established in the office formerly occupied by Arthur W. Kelly. The latter has new quarters adjoining Raftery's.

Legion Cites Gain in Objectionable Films

(Continued from page 1)

an increase of one and six-tenths per cent in the number of films rated as objectionable in part.

"In appraising the moral status and trend of the motion picture, statistics alone do not provide adequate and final measurement. Statistics should be considered in conjunction with other factors such as the kind and amount of objectionableness in a film rated in any given objectionable or condemned category. The evaluation of the situation must be based on qualitative as well as quantitative considerations. The present grave concern arises out of the unfortunate trend under which a considerable number of films rated objectionable in part have approached the point of condemnation."

Legion Approves Six Of Seven New Films

The National Legion of Decency for the current week has approved six of seven new pictures reviewed, two for general patronage and four for adults, while one was condemned. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "Kathleen," "They Died With Their Boots On." Class A-2, Unobjectionable for Adults —"Date With the Falcon," "Design for Scandal," "Men in Her Life," "Rise and Shine." Class C, Condemned—"Two-Faced Woman."

Plans Sports Reels

CHICAGO, Nov. 24.—Sports Productions, subsidiary of Teletone News Corp., has been formed here, to produce 52 single reels annually on sports, featuring Bob Elson.

'Skylark' and 'Havana' Big; B'way Strong

(Continued from page 1)

at $73,000 for the four days beginning Thursday.

The Thursday through Sunday "take" at the Strand, playing "They Died With Their Boots On" with Woody Herman's orchestra, is estimated at $30,000. The show will be held over.

'Thin Man,' $24,500

"Shadow of the Thin Man" went over well at the Capitol, grossing an estimated $24,500 Thursday through Sunday, and will hold for a second week. "Swamp Water" at the Globe is holding up strongly, drawing an estimated $5,500 Saturday and Sunday. Now in its second week, the picture will continue.

At the Rivoli where "How Green Was My Valley" is in its fourth week business Thursday through Sunday amounted to an estimated $16,200. This film also will hold over.

"The Chocolate Soldier," now in its fourth week at the Astor, took an estimated $5,700 Friday through Sunday and will remain. "Mob Town" finished a week's run at the Rialto last night with an estimated $4,300 and is to be replaced today by "A Date With the Falcon."

'Flying' Opens Tomorrow

Universal's new Abbott and Costello comedy, "Keep 'Em Flying," will bow in at the Criterion tomorrow. Carol Bruce, who has the feminine lead in the film, is scheduled to make a personal appearance in the evening. Others of the cast expected to be present are Martha Raye, William Gargan and Dick Foran.

Last night New York's traditional most important first night was observed when the Metropolitan Opera held the premiere of its 59th season. The presentation was Mozart's "The Marriage of Figaro."

New York's oldest families mingled with foreign ambassadors and fashionable opera goers. It was a sellout, as usual.

Hearing on Schad Action Set Jan. 29

PHILADELPHIA, Nov. 24.—Final hearing on the anti-trust action of J. H. Schad, Reading, Pa., exhibitor has been listed for Jan. 29 before Federal Judge J. Cullen Ganey in U. S. District Court here. The action is directed against Warners, 20th Century-Fox, Warner Theateres and the Wilmer and Vincent Circuit. The preliminary hearing was held in September.

Allied Unity Meet On Dec. 9, Report

(Continued from page 1)

cuit heads. At a business session following, present officers were reelected L. F. Wolcott, president, will serve his eighth year as head of the organization.

Myron Blank and Wolcott were appointed delegates to the Allied unity meeting in Chicago. The meeting adjourned to early in January.

FAME

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■

BOX OFFICE CHAMPIONS OF 1941

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THE SEASON'S MONEY-MAKING STARS

Evaluated and reported upon by the exhibitor showmen of the world.

THE RADIO CHAMPIONS OF 1941

As polled by Motion Picture Daily among the editors of the daily newspapers of America.



One Dollar the Copy

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

British Film Council Will Ask Quota Cut To 15-20 Per Cent

LONDON, Nov. 24. — The Films Council is understood to have considered British Board of Trade suggestions that the film quota be retained at its present levels, and to have decided to ask for reductions.

It is believed the Council will ask the Board of Trade for reductions to 15 per cent for exhibitors and 20 per cent for distributors, with a similar reduction for short subjects.

Although the Board of Trade has the final decision, it is believed it will not ignore the recommendations of the Council, since the latter functions as an advisory board. Short subject producers and film unions will oppose the Council suggestion for quota cuts.

Pinewood Studio May Reopen

LONDON, Nov. 23.—The Pinewood Studios, closed since the start of the war, will be reopened in January as the center of Government film production, it is reported. Pinewood is controlled by the General Film-Gaumont British interests. The Army film unit has taken over the Curzon Theatre in Mayfair.

Paul Soskin will join the Gaumont-British-Gainsborough producing company as a resident producer on the completion of his current film.

Triple Features in 6 St. Louis Houses

ST. LOUIS, Nov. 24.—Triple bills have spread to four independent houses in St. Louis, bringing the total of houses now featuring such programs to six. Fred Wehrenberg, head of the MPTO, who has led the fight against multiple features, said the theatres now using triples occasionally are the Osage, Ozark, Gem and Beverly.

The Pageant and the Aubert of the St. Louis Amusement Co. were among the first to have such programs. Harry C. Arthur, Jr., president of Fanchon & Marco, recently announced he had no intention of discontinuing triple bills in the St. Louis Amusement houses.

Disney's Features Setup Is Realigned

HOLLYWOOD, Nov. 24.—Walt Disney Productions today realigned its production setup on features, scheduling "Peter Pan" to follow "Bambi," now nearing completion, instead of the previously announced "Wind in the Willows," work on which has been halted. About 150 employes will be temporarily laid off because of the change, leaving about 530 on the payroll. Production will continue on two other features, "Bongo" and "Cinderella." No letdown in shorts production is contemplated.

Para. Sued on Title

Paramount has been named defendant in a suit filed in N. Y. Supreme Court by Jewel Productions, Inc. The plaintiff seeks to restrain Paramount from releasing "Forgotten Man," which, it is alleged, infringes the title of Jewel's film, "Forgotten Men." An answer by Paramount declares the title is in the public domain.

Off the Antenna

WHN will dedicate its new 50,000-watt transmitter with a program next Monday from 9 to 10:30 P.M. Among those scheduled to appear are Bert Lytell, Frank Fay, Dinah Shore, Dick Todd, Adrienne Ames, A. L. Alexander, Fulton Lewis, Jr., Fulton Oursler, George Hamilton Combs, Clem McCarthy, Bert Lee and Dick Fishell. A new WHN choral group and an enlarged orchestra directed by Dick Ballou and Don Albert will provide the music. The program will originate from the Barbizon-Plaza Theatre.

• • •

Purely Personal: *Bill Berns of the Warner publicity staff will resume his program, "The Camera Turns with Bill Berns" over WPAT, Paterson, N. J., at 2:15 P.M. today. . . . Steere Mathew was appointed assistant manager of the NBC traffic department yesterday. . . . Maurice Rappel has been named Jewish program director for WWRL. . . . Rise Stevens, who performed at the Metropolitan Opera opening yesterday, will be guest on "Treasury Hour" tonight and the Coca Cola show Sunday. . . . George Fuerst, formerly manager of the KGO-KPO, San Francisco, traffic department, has resigned to join the KPO sales department, and his former assistant, Bob Sandstrom, succeeds him in the traffic post. . . . John Gunther, if he returns from Europe in time, will substitute for Raymond Gram Swing when the latter starts a three-week vacation Christmas Day. Gunther, however, is seeking admission to Russia and another substitute will be needed if he obtains the visa. . . . Bob Reichenbach of the KMOX, St. Louis, promotion staff has resigned to organize the Disco Recording Co. Harry Cheshire, "hillbilly" director for KMOX, and Gordon Sherman, engineer at the station, will join him in the venture.*

• • •

Network officials breathed easier yesterday as word came that the threatened long distance telephone strike had been called off by the Federation of Long Lines Telephone Workers after an agreement had been reached granting wage increases and setting up boards to adjust remaining differences. The networks, which would have been crippled by a strike, made few preparations to meet it, presumably on the assumption that it would be settled in time.

• • •

Norman D. Waters, head of the advertising agency bearing his name, yesterday demanded "prompt action" on his proposals for greater use of television by Government and defense agencies. In a telegram to Lowell Mellett, director of the executive office of the President, Waters pointed out that he had seen FCC Chairman James L. Fly on Oct. 31 and had held a conference of television executives at his office Nov. 4 but little had been done to start the program moving. He asked for fact finding board to study the problem.

• • •

NBC yesterday *released the Cooperative Analysis of Broadcasting standings for half-hour evening shows. In the order of their standing they are: Edgar Bergen; Jack Benny; Fibber McGee & Molly; Bob Hope; "Maxwell House Time," with Fannie Brice; "One Man's Family"; "Fitch Bandwagon"; "Mr. District Attorney"; "Time to Smile," with Eddie Cantor and Dinah Shore; Burns & Allen; Rudy Vallee and John Barrymore, and "Truth or Consequences."*

• • •

In an effort to build a good children's program, NBC-Blue on Saturday, Dec. 6, 11:30 to noon, will start the first of a weekly half-hour series in which a 15-minute program from WJZ will be paired with a similar show from a station in another city. Each group will run for 13 weeks. The first two programs will be "Fables for Fun," from WJZ, in which an original fairy tale will be dramatized, and "Ask Young America," from WLS, Chicago, with school children participating in an open forum on current events.

Monogram Product Now Available for Television

(Continued from page 1)

reverted later to the independent producers.

During the radio fight with Ascap, feature films virtually could not be shown over the television station because it was impossible to separate the music from the dialogue in most instances. However, with the settlement, WNBT resumed its film program and has stepped it up to three or four features each week. In addition to the features, there are advertising films, some independent shorts, defense films released by Government agencies and the like.

Among the independent product booked by NBC are five old pictures released through Grand National and now controlled by Mohawk. These include one with James Cagney and another with Stuart Erwin. NBC is also negotiating with Harold Orlob for "Back Door to Heaven" and possibly "One Third of a Nation." Two pictures have been contracted for with Arthur Lee and about four more are in the negotiation stage. Max Alexander also has a number of westerns which NBC may use, it was said. A group of short subjects, "Music of the Masters," is also being televised.

Since July 1, NBC has been operating its television station on a commercial basis which requires 15 hours of operation weekly and the use of films is an important factor. Audience reaction to feature product, despite its age, has been satisfactory, it was reported.

O.P.M. Names Radio Advisory Committee

Washington, Nov. 24.—A radio industry advisory committee, consisting of 29 representatives from as many manufacturing companies, has been named by the Office of Production Management to cooperate with Sidney J. Weinberg, chief of the Bureau of Industry Advisory Committees, in working out problems involving radio manufacturing in connection with priorities.

FCC Here Monday On NBC Television

WASHINGTON, Nov. 24. — Members of the FCC and their staff will be in New York next Monday to see recent developments of NBC in the field of television, particularly color, it was disclosed today by Chairman James L. Fly.

The trip will be short, Fly said, and it is not intended to attempt a review of the work being done by all of the companies.

In view of the lack of progress which is being made with the synchronous impulse, he said, it is not likely that the commission will undertake the clarification of standards tentatively set for Jan. 1. No move in that direction will be made until the companies report that they have developed satisfactory methods which can be generally adopted.

Station in Indiana Increases Power

WASHINGTON, Nov. 24.—Broadcasting Station WAOV, Vincennes, Ind., has been authorized by the FCC to increase its power from 100 to 250 watts.

At the same time, the commission ordered hearings on the applications of James F. Hopkins, Inc., and the Washtenaw Broadcasting Co., Inc., for new 1,050-kilocycle, 1,000-watt day stations at Ann Arbor, Mich.; Bernard N. Walker for a new 1,400-kilocycle, 250-watt station at Concord, N. C.; Chattanooga Broadcasting Corp., for a new 1,450-kilocycle, 250-watt station at Chattanooga, Tenn., and Station KWKW, Pasadena, Cal., for change of frequency to 830 kilocycles.

Hearing Today on News Strike Writ

N. Y. Supreme Court Justice Edward R. Koch yesterday adjourned until today a hearing on an application of Attorney General John J. Bennett, Jr., for an injunction to restrain the Newsdealers Federal Labor Union, Local 22,371, from boycotting seven morning and afternoon newspapers.

Attorneys for the union declared they had insufficient time to prepare an answer to the Attorney General's allegation that the union had entered into a conspiracy. Assistant State Attorney General Martin J. McLaughlin declared no labor dispute between workers and employers is involved.

Jacob Rosenheim Dies

Jacob Rosenheim, brother of the former Mrs. Marcus Loew, died here Sunday. Services will be held at 2 P.M. today at the Riverside Chapel, 76th St. and Amsterdam Ave.

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VOL. 50. NO. 104 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 26, 1941 TEN CENTS

Kent Closes With Connors; Deal Revealed

His Duties Will Cover All 20th-Fox Departments

Sidney R. Kent yesterday announced the closing of a five-year contract with Tom Connors to be his personal assistant. In his statement, Kent reveals that Connors will assume his new post within the next few weeks. Also, that Connors will accompany Kent on a trip to the Coast about Jan. 1.

Kent's statement follows:

"I have known Tom Connors since he came into the industry. I have admired his ability and integrity as a man and I have made the choice after careful consideration of several men. I, myself, have come up through distribution and I naturally looked to that field for an assistant. Mr. Connors' duties, however, will not all be in distribution, but will cover other departments as well.

"This move is in no wise a move to appoint a successor to Herman Wobber. Mr. Wobber will remain just as long as he desires to do so. I have made this appointment to give the sales and other departments more help and of a kind that I have been unable to give myself lately. This move will in no way change the company's policy of promotion from within the ranks, which both Mr. Connors and I agree on.

"I am especially pleased at the reaction to this appointment. Many important exhibitors from all over the country have voluntarily phoned or wired me praising the appointment. I know this will be pleasing to Mr. Connors as well."

$28,000 Subscribed In Federation Drive

A total of $28,000 already has been subscribed by the Amusement Division in the 1941 campaign of the New York and Brooklyn Federations of Jewish Charities, Major Albert Warner, co-chairman with David Bernstein, announced at a luncheon meeting of the division at the Hotel Astor yesterday.

Major Warner, presiding, yesterday

(Continued on page 8)

LesermanAppointed U.A. Sales Manager; Chaplin Plans Three

Carl Leserman was appointed general sales manager of United Artists yesterday by Gradwell L. Sears, vice-president in charge of distribution. He will assume his post immediately. At the same time it was announced in Hollywood that Charles Chaplin plans to produce three pictures for U. A. during 1942.

The Coast announcement said that one of the Chaplin films will star himself as Landru, the French Bluebeard. The subject matter of the other two is as yet undecided. Shooting on the first is scheduled to start in Janu-

(Continued on page 8)

Columbia Quarter Net Up to $261,705

Columbia yesterday reported net profit of $261,705 for the first quarter ended Sept. 27, after all deductions, as compared with $153,878 with similar deductions for the same period last year. No provision has been made for restricted currencies in England.

The working capital amounted to $11,619,219. The report shows $14,207,784 current assets and $2,588,565 current liabilities. "Results to date for the second quarter indicate a continued improvement in earnings," Harry Cohn, president, stated in announcing the earnings.

Washer to Be Ad Head for Goldwyn

Ben Washer will soon join the Samuel Goldwyn organization as Eastern advertising and publicity director, it is reported. Announcement of his appointment is expected shortly. Washer, former publicity manager of United Artists, it is reported, has resigned from his executive position at Donahue & Coe, advertising agency, to assume the Goldwyn post. In the latter post he will succeed Lynn Farnol, who resigned, it is said, because of service in the U. S. Army. Farnol holds a commission as captain. Washer is among the best known publicists in show business, in the opinion of the trade.

Gov. Bricker of Ohio Stresses Films' Duty To Bar Propaganda

COLUMBUS, O., Nov. 25.—The "grave responsibility" of presenting the truth on the screen without propaganda belongs to the leaders of the film industry, Governor John W. Bricker of Ohio told the ITO of Ohio convention luncheon at the Deshler-Wallick Hotel here today.

Several hundred persons are attending the sessions, in conjunction with

(Continued on page 8)

Nicholas M. Schenck to Head Film Committee for 1942 March of Dimes

Nicholas M. Schenck, president of Loew's, Inc., has accepted appointment as chairman of the Motion Picture Committee for the 1942 March of Dimes, held annually in connection with the President's Birthday Ball for the Paralysis Foundation. Schenck declared that it is planned for the industry to play a much greater part in the campaign than ever before.



Nicholas M. Schenck

Named as co-chairmen with Schenck are C. C. Moskowitz, Loew's theatre executive; Joseph Bernhard, vice-president of Warners, and Harry Brandt, head of Brandt Theatres. Oscar A. Doob, advertising and publicity director of Loew's Theatres, is national public relations advisor for the film committee.

It is planned to obtain the participation of all branches of the industry in the campaign, both in the East, in Hollywood and throughout the country, it was stated.

The proceeds are devoted to the National Foundation for Infantile Paralysis, which helps sufferers at Warm Springs, Ga., as well as in local institutions.

Majors Named In Atlanta Suit For $1,592,785

Lucas, Jenkins Also Are Cited in Trust Action

ATLANTA, Nov. 25.—Charles Mion and W. T. Murray, operators of the downtown Rialto and three neighborhood houses here, have filed a $1,592,785 anti-trust suit against Lucas & Jenkins, Inc., Paramount circuit affiliate, Paramount, Loew's, RKO, Warners, 20th Century-Fox, Universal, United Artists and various subsidiaries, in Federal Court here.

Actual damages alleged are $530,728 but the complaint asks that this amount be tripled under the anti-trust act. Arthur Lucas and William K. Jenkins are also named individually as defendants.

Mion & Murray charge that they suffered damage in the operation of the Decatur, Little Five Points and East Point houses as the result of a conspiracy to deprive them of prod-

(Continued on page 8)

Branson New RKO Western Manager

Walter Branson, RKO Midwest district manager, was appointed Western division manager yesterday by Ned E. Depinet, vice-president in charge of distribution.

Branson succeeds Cresson E. Smith, who resigned recently to make his home in Southern California. Smith will be Los Angeles branch manager for United Artists. The U. A. post was vacated recently by David Griesdorf, who is returning to Canada.

Branson has been with RKO in the Midwest for about 15 years as salesman, branch manager and district manager.

Ayers, Seed Named W.B. District Chiefs

Norman J. Ayers and Harry Seed have been promoted to district managers by Warners and a mid-Atlantic district was created with Robert Smeltzer as manager, it was announced yesterday by Ben Kalmenson, general sales manager.

Ayers, formerly Boston branch manager, will head the Eastern dis-

(Continued on page 8)

Marches Open in Guild Play Tonight

Fredric March and Florence Eldridge will return to the Broadway stage tonight in a new play by Sophie Treadwell titled "Hope for Harvest" and described as an "American comedy." The play, a Theatre Guild Production, will be presented at the Guild Theatre.

FPC-Nathanson Suit In Canada Settled

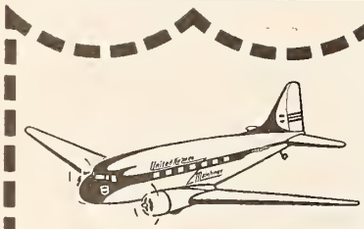
Paramount yesterday announced the settlement of a Canadian court action brought by Famous Players Canadian against N. L. Nathanson interests involving ownership of the Broadway Theatre at Timmins, Ont.

The company's statement follows in part:

"Famous Players Canadian Corp., Ltd., legal action against certain of the Nathanson interests—namely, Empire Universal Films, Ltd., Associated Theatres, Ltd., and against Oscar R. Hanson and Broadway Theatre (Timmins, Ltd.) — has been settled out of court with the defendant admitting Famous Players' claim, J. J. Fitzgibbons, president of Famous Players Canadian Corp., Ltd., announced today."

Hanson Takes Alliance

TORONTO, Nov. 25.—According to report, Oscar R. Hanson, who broke with N. L. Nathanson three weeks ago to organize his own group of distributing and theatre companies, has taken over Alliance Films of Toronto, an independent exchange, and also Colonial Pictures, Ltd.



FLY to LOS ANGELES

over the

BUSINESS ROUTE

of the NATION

More passengers, mail and express fly United's central, year 'round Main Line Airway than any other coast-to-coast air route. 5 Mainliners to Los Angeles daily.

UNITED

AIR LINES

Airlines Terminal:
30 E. 42nd St.
649 Fifth Ave. 69 Wall St.
Hotel Pennsylvania
MU-2-7300
or travel agents, hotels

Personal Mention

HUNTER PERRY of Dominion Theatres, Virginia, is in town for Paramount home office conferences.

•

SAM PINANSKI is here from Boston for conferences with LEONARD GOLDENSON, head of Paramount theatre operations.

•

FRANK ROGERS and FRED KENT of Florida State Theatres are in town from Jacksonville.

•

ERNEST LAMBARRI of Western Electric Export Corp. has left to take over his new post as assistant engineer at the Panama office.

FRANCIS HARLEY, 20th Century-Fox managing director for Great Britain, is scheduled to leave Lisbon Dec. 4 by clipper for New York.

•

CHARLES SMAKWITZ, Warner Theatres assistant zone manager in Albany, has returned from Pittsburgh.

•

M. J. SIEGEL is due today on the Coast from the East.

•

TERRY TURNER has returned from the West.

•

LARRY GERMAINE, Warner Theatres booker in New Haven, is ill at New Haven Hospital.

Producers Oppose English Quota Cuts

LONDON, Nov. 25.—Production groups are actively opposing a reduction in the present quota percentages, as suggested by the Films Council. The producers voted today to ask the Board of Trade to leave the quotas as they are, declaring that, despite the reduction in the total of films registered for quota, a substantial volume is now awaiting registration. They forecast a drop in production if the quotas are cut.

They suggest that the exhibitors can meet their present quota by increasing screening time. The shorts producers will meet tomorrow and are expected also to oppose the council suggestion for quota reductions. They contend there is no need for reduction, since exhibitors are screening more than their required percentages. Labor interests also are expected formally to oppose the reductions. It was indicated today that the Board of Trade may make a statement on the quota situation this week.

'Golden Wings' Is Scored by Critics

WASHINGTON, Nov. 25.—The most withering critical blast to greet a new play this season appeared in the local press today on "Golden Wings" which opened last night at the National.

Commented Nelson B. Bell (*Post*), "Swirling dialogue frosted on its wing tips." A "triumph of dullness," reacted Jay Carmody (*Star*). Don Craig (*News*) called it "sloppy, corny and embarrassing," while Bernie Harrison (*Times-Herald*) cited "too much weight," "uninspired plot" and said the William Jay-Guy Bolton story of the R.A.F. "never gets off the ground." Fay Wray, Signe Hasso and Owen Lamont have the leads.

Para., W.B. Sued On Payment to Bioff

Paramount and Warners were named defendants yesterday in two more stockholders' suits filed in the N. Y. Supreme Court as a result of evidence of payments made to William Bioff and George E. Browne in their trial. Philip Greenberg, Paramount stockholder, suing the company, its officers and directors, seeks an accounting of all monies paid. A similar suit was brought by Henry L. Hirscher, Warner stockholder.

District Heads for Variety Club Named

John H. Harris, national chief barker of the Variety Clubs of America, has made the following district appointments:

Sam Galanty, for Washington, Baltimore and Philadelphia; Marty Mullin, for Boston, and to organize New Haven and New York; Elmer Rhoden, Kansas City and St. Louis; Mike Shapiro, Pittsburgh, Cincinnati, Cleveland, Columbus and Dayton; Alex Schreiber, Detroit, Milwaukee and Minneapolis; Edward Shafton, Omaha and Des Moines; Paul Short, Dallas, Atlanta, Memphis, Oklahoma City, Los Angeles and Charlotte; C. J. Latta, Albany, Buffalo and Indianapolis, and R. J. O'Donnell to organize New Orleans, Chicago, Portland, Denver, San Francisco, Seattle and Salt Lake City.

These district representatives will cooperate with existing tents in the cities assigned to them and will assist is organizing new tents.

Coast Meet on S. A. Hears Hays, Whitney

HOLLYWOOD, Nov. 25.—Will H. Hays and John Hay Whitney today addressed the Motion Picture Society for the Americas as the first step in working out Hollywood cooperation with the film program of Nelson Rockefeller's Office of Inter-American Affairs. Whitney told details of his South American trip, which he previously related to New York executives.

Open Chicago RKO Building Tomorrow

Ned E. Depinet, RKO vice-president, will head a group of home office executives leaving this evening by train to attend the opening tomorrow of the company's new exchange building in Chicago. Also attending from the home office will be Walter Branson, Harry Michalson, A. A. Schubart, William Savage and John Wood.

'York' Lower Price Release Set July 4

"Sergeant York" will not be released in the United States at regular admission prices until July 4, 1942, Ben Kalmenson, Warner general sales manager, said yesterday. The film is now playing at minimum of 55 cents for evenings and 40 cents matinees. It was released generally Sept. 27.

Univ., U.A. Reaffirm Right of Selection

Nashville, Nov. 25.—United Artists and Universal Film Exchanges maintained today in stronger terms than heretofore their right to select their customers in the distribution of films "for any reason or reasons." U. A.'s and Universal's brief in the Crescent anti-trust case, filed in Federal Court by John D. Mosby of Nashville, asserted that in the selection of a customer "there can be no more valid and legal reason than their (the defended distributors) financial advantage."

Gov't Favors Apri For 'Little 3' Tria

The Department of Justice favo an April trial date for its anti-tr suit against Columbia, United Arti and Universal in U. S. District co here, Department officials revealed New York yesterday.

The Government has indicated t it expects to begin trial of the Sch suit in late January or early Feb ary, but counsel involved in the c say they have prior trial commitme at that time and prefer a late Feb ary or March date instead.

'Night of Stars' Is At Garden Tonig

The curtain goes up at 8:40 night on the eighth annual presen tion of the "Night of Stars" show Madison Square Garden, the proce to be turned over to the United Je ish Appeal on behalf of the Joint D tribution Committee, the United P estine Appeal and the National Re gee Service.

More than 20,000 persons are pected to witness the presentation, which hundreds of entertainers participate. It will open with singing by Lucy Monroe of the tional anthem and "Hatikvah," Jewish anthem. This will be follow by an overture by a 100-piece orch tra and an address by Mrs. Frank D. Roosevelt, who will be introdu by Nathan Straus, chairman of affair. The entertainment will t get under way.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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THE PRINT WILL BE READY FOR NEW YEAR'S!



Electrifying news for this industry!

The greatest New Year's attraction any company ever had is now set to reap the holiday fortune.

Of course it's "BABES ON BROADWAY"!

Everybody knows how truly sensational is this MICKEY ROONEY, JUDY GARLAND, M-G-M musical extravaganza.

It will be trade-shown December 9th.

400 prints will be available for day-and-date bookings to welcome 1942 with joyous shouts and jingling shekels.

Happy New Year from The Friendly Company!

MICKEY ROONEY • JUDY GARLAND in "BABES ON BROADWAY" with Fay Bainter • Virginia Weidler • Ray McDonald • Richard Quine • Donald Meek • Alexander Woollcott • Screen Play by Fred Finklehoffe and Elaine Ryan • Original Story by Fred Finklehoffe • Directed by BUSBY BERKELEY • Produced by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture

HERE ARE TH
TEST CAMPAIG
—and the sensation

Test Run for "Hot Spot" As "I Wake Up Screaming"

A new wrinkle in test runs is the one 20th-Fox has scheduled for "Hot Spot," which starts its run at the Fox Wisconsin, Milwaukee, on Thursday. Picture, which is based on Steve Fisher's novel, "I Wake Up Screaming," will use that title during the Milwaukee engagement.

Company execs. feel cash customers might think film starring Betty Grable and Victor Mature is about a night club when instead it is a melodramatic murder yarn.

1 **The industry read this item in Film Daily. Here, step by step, is the story of 20th's "new wrinkle in test runs."**

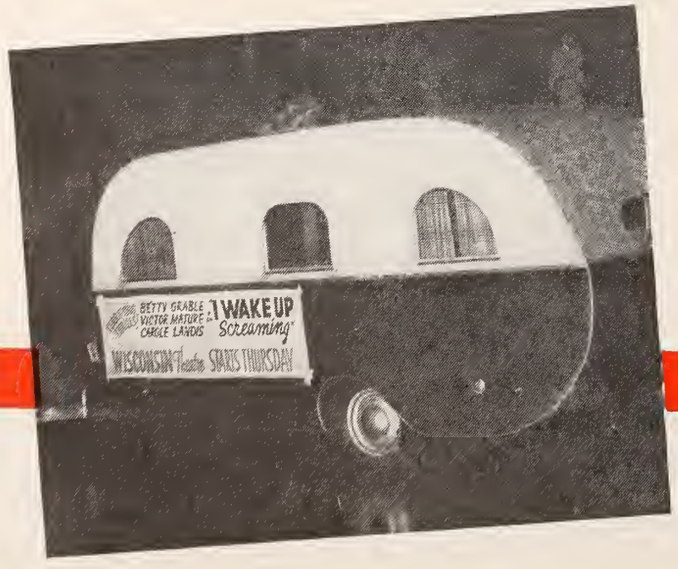
2 **THE SOCK CAMPAIGN WAS KEYED TO THE "I WAKE UP SCREAMING" TITLE . . . *MELODRAMATIC ELEMENTS WERE STRESSED IN ADS, FRONT, STUNTS.***



THE FRONT sold it as Terrific New Thriller!



Typical Newspaper Ad *(powerful, unusual)*

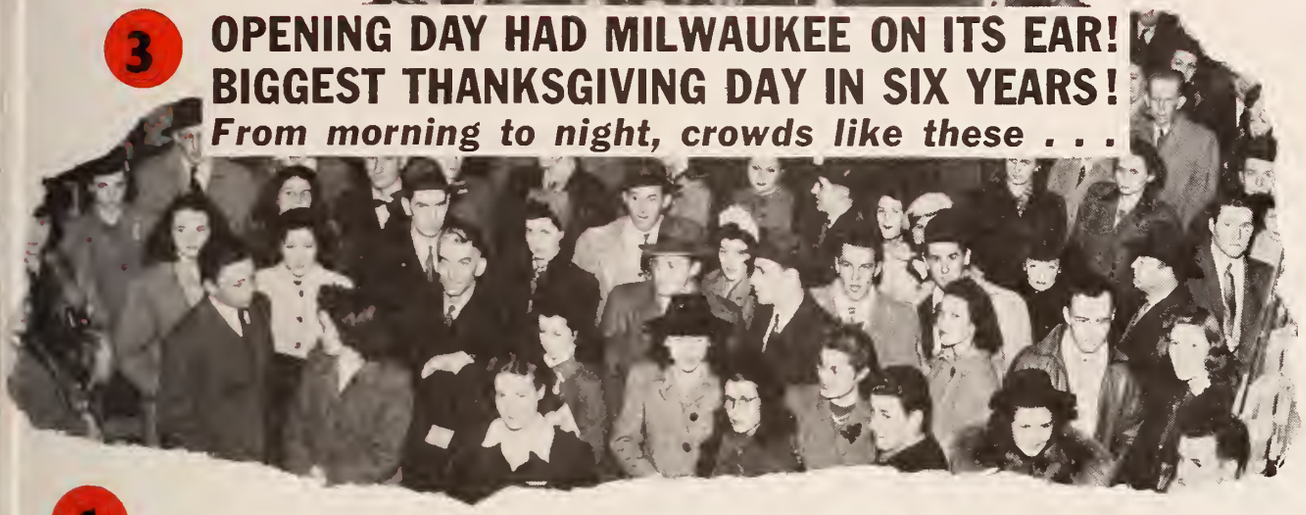


STUNT BALLY . . . on this trailer's P. A. system, a girl screamed, plug followed!

20th CENTURY FOX

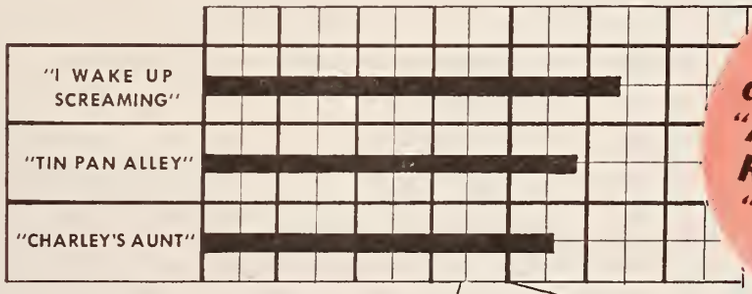
IGHLIGHTS OF 20TH'S
N "I WAKE UP SCREAMING"
oxoffice results in Milwaukee!

3 **OPENING DAY HAD MILWAUKEE ON ITS EAR!**
BIGGEST THANKSGIVING DAY IN SIX YEARS!
From morning to night, crowds like these . . .



4 **THE FIGURES TELL THE STORY!**

RUNNING AHEAD OF "TIN PAN ALLEY'S" THANKSGIVING GROSS . . . AND BEATING "CHARLEY'S AUNT"!



Doubled the opening day business of "A Yank In The R. A. F." and "Sun Valley Serenade"!

So!....

5 **NEW TITLE!**
NEW ADS!
NEW TRAILERS!

ECIAL PRESS-BOOK SUPPLEMENT AVAILABLE IMMEDIATELY!

Inquire at your local 20th Century-Fox Exchange! And many happy boxoffice returns—from wide-AWAKE 20th!



WHY ARE SUCH TERRIFIC CROWD
WHY ARE THEY STANDING IN LI
WHY IS THE WORLD'S LARGES

because



CARY GRANT
JOAN FONTAINE
in
Suspicion
with
SIR CEDRIC HARDWICKE
NIGEL BRUCE
DAME MAY WHITTY

Directed by
ALFRED HITCHCOCK

Screen Play Samson Raphaelson, Joan Harrison Alma Reville

MOBBING THE MUSIC HALL?
MORNING TILL NIGHT?
THEATRE *HOLDING OVER?*

Howard Barnes, N. Y. Herald-Tribune, Says:

"'Suspicion' is a far finer film than 'Rebecca'. Hitchcock has made a brilliant film which is certain to move and amuse you as much as it makes your hair stand on end."

Kate Cameron, N. Y. Daily News, Says:

"Packed with suspense . . . Cary Grant and Joan Fontaine give fine performances —intensely exciting."

Bosley Crowther, N. Y. Times, Says:

"A tense and exciting tale, a psychological thriller packed with lively suspense."

Lee Mortimer, N. Y. Daily Mirror, Says:

"A high class package containing Miss Fontaine's most superb histrionics, large gobs of Alfred Hitchcock's suspense, swell settings, photography and background."

William Boehnel, N. Y. World-Telegram, Says:

"Has all the singular fascination of 'Rebecca', '39 Steps' and 'Lady Vanishes' . . . Will keep you mesmerized from beginning to end with its fine chacterizations and its mounting horror."

Cecelia Ager, PM, Says:

"A cinema masterpiece . . . It pays off the audience seeking entertainment, and the student seeking a model of film craftsmanship."

Rose Pelswick, N. Y. Journal & American, Says:

"Excellent entertainment . . . Hitchcock does a superb job in creating aud sustaining an absorbing mood . . . outstanding melodrama."

Eileen Creelman, N. Y. Sun, Says:

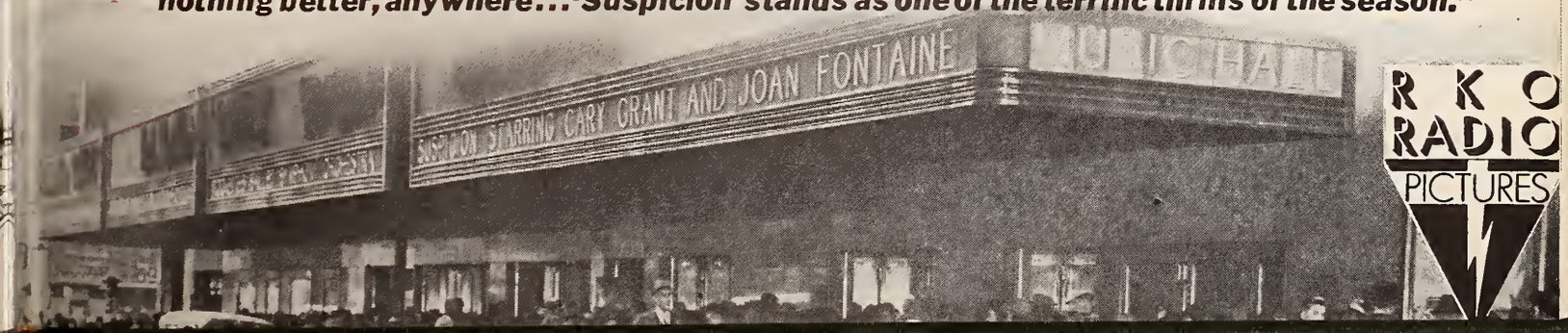
"Alfred Hitchcock again has created that extraordinary mood of suspense . . . This is a strange picture, powerful, with the tension mounting steadily."

Archer Winsten, N. Y. Post, Says:

"Suspenseful . . . rich in character observation . . . a distinctly superior picture."

Leo Mishkin, N. Y. Morning Telegraph, Says:

"Hitchcock at his best . . . And, you might say, when Hitchcock is at his best, there is nothing better, anywhere . . . 'Suspicion' stands as one of the terrific thrills of the season."



Majors Named In Atlanta Trust Suit Seeking $1,592,785

(Continued from page 1)

uct by the defendants. The Rialto is not involved in the action. According to the complaint, when Mion & Murray decided to build the three houses in 1940, they were told by the distributing companies that product would be negotiated for.

As soon as the intention to operate was announced, however, Lucas & Jenkins attempted to prevent the operation of these three houses and increased the seating of the DeKalb 50 per cent, purchased a lot on the site adjoining the Little Five Points and built a theatre on it, and erected a new theatre, the Russell, two blocks from the East Point, the complaint sets forth. The petition also points out that Lucas & Jenkins' operation of more than 50 houses in Georgia, of which more than 18 are in the Atlanta area, gives them a great purchasing power, and contends that this power was used to compel discrimination by the distributor defendants against the plaintiffs.

Mion & Murray complain that they frequently could not obtain any product before it was a year old and in any case after clearance for competing neighborhood houses.

Leserman Appointed U.A. Sales Manager

(Continued from page 1)

ary, it was said. Chaplin also is preparing to re-release "The Gold Rush" during Christmas time.

MOTION PICTURE DAILY reported exclusively yesterday that a decision on the appointment of Leserman as general sales manager would be reached today and that the decision had hinged upon Leserman's action on an offer made him by another company.

Sears' announcement made no mention of Harry L. Gold, Eastern sales manager for the company, but it was indicated elsewhere that Gold would remain in charge of Eastern sales under Leserman. No successor has been named yet to Haskell Masters, who resigned last week as Western sales manager.

Sears said: "It is a source of satisfaction to me that practically my first official act with United Artists is to bring to the company one of the strongest individuals in the sales field of the industry. Leserman has been associated with me for many years, and I am glad to know that he will now make available to United Artists the ability, the experience, the forcefulness and the devotion he has always given to his job."

Leserman was formerly assistant general sales manager and vice-president of Vitagraph, Inc. He resigned those posts when Sears left Warners recently.

GTE Votes 25c Dividend

General Theatres Equipment yesterday declared a dividend of 25 cents a share on the capital stock, payable Dec. 15 to stockholders of record Dec. 8. This brings dividends for this year to $1 a share, compared with 85 cents last year.

$28,000 Is Subscribed In Drive of Federation

(Continued from page 1)

named committees representing the various branches of the amusement business. The committees are the same as for last year's drive. Warner said that the division's cooperation this year will be greater than ever before.

Vice-chairmen of the division are: Barney Balaban, Nate Blumberg, Jack Cohn and George Schaefer. In addition, Leopold Friedman and William Klein are vice-chairmen of the Federation's city-wide campaign.

The committees named yesterday are as follows:

Columbia—Abe Schneider, Nathan D. Spingold, co-chairmen; Max Seligman.

Loew's—M-G-M—Leopold Friedman, chairman; Oscar Doob, Arthur M. Loew, Charles Moskowitz, Morton Spring, Joseph R. Vogel.

Paramount—Arthur H. Israel, Jr., chairman; Joseph H. Cooper, co-chairman; Leon D. Netter, Joe Unger.

RKO—Malcolm Kingsberg, chairman; Phil Reisman, Leon Goldberg, Harry Michalson, co-chairmen.

Republic Pictures—Milton Green.

Warner Bros.—Joseph H. Hazen, chairman; Sam E. Morris, Max Blackman, Jules Levey, Herman R. Maier, Harold Rodner.

20th Century-Fox—Joseph M. Moskowitz, chairman; Jack Bloom, Aubrey Schenck, William Sussman.

Pathe—Fred Ullman, Jr.

United Artists—Monroe Greenthal, chairman; Harry Gold.

Independent Producers—Budd Rogers, chairman; Edward A. Golden.

Universal Pictures—Samuel Machnovitch.

National Screen Service—Herman Robbins, chairman; Toby Gruen.

Motion Picture Operators—Joseph D. Basson.

Film Importers—Max A. Schlesinger.

Motion Picture Exchanges—Harry Buxbaum, chairman; Nat Cohn, Morris Epstein, Joe Felder, Dave Levy, Myron Sattler, Ed. Schnitzer, Charles Stern, Bob Wolf.

M. P. P. D. A.—Isroy M. Norr.

Artists—Phil Baker, Ben Bernie, Jesse Block, Eddie Cantor, Eddy Duchin, Benny Goodman, Lou Holtz, George Jessel, Abe Lyman, Dave Rubinoff, Ed Wynn.

Artists and Bandleaders Representatives—Wm. Morris, Jr., Jules C. Stein, Marvin Schenck, co-chairmen; William Alexander, Harry Engel, William Goedheart, Carleton M. Hub, Harry Kalcheim, Jesse Kaye, Milton Krasny, Mark Leddy, Samuel T. Lyons, Harry Mayer, Charles Miller, Sidney N. Piermont, Billy Rose.

Broadcasting—Nat Abramson, Jerome Allen Danzig, Donald Flamm, Bertram Lebhar, Herbert Rosenthal.

Attorneys—William Klein, chairman; Julian T. Abeles, Louis Nizer, Louis Phillips, co-chairmen; Louis D. Frohlich, Henry Jaffe, Mitchell Klupt, Charles Schwartz, Milton C. Weisman, William Weisman.

Independent Theatres—Harry Brandt, chairman; William Brandt, Max A. Cohen, Leo Brecher, Simon H. Fabian, Louis Frisch, Sam Goodman, Arthur L. Mayer, Charles Moses, Walter Reade, Sr., Sam Rinzler, Sam Rosen, Edward N. Rugoff, Fred J. Schwartz, Edward Seider, Spyros Skouras, Joe Springer, Samuel Strassberg.

Laboratories—Alan E. Friedman, chairman; Jules Brulatour, Ralph Poucher, co-chairmen; Jack Goetz, Herbert J. Yates, Jr.

Dancing Schools—Arthur Murray.

Motion Picture Accessories—Benjamin S. Moss, chairman; Bernard Brandt, Walter Barber, Jules Catsiff, Max A. Cohen, M. J. Fessler, George Feinberg, Emil Friedlander, William Freedman, Emanuel Frisch, Miss I. Garretson, Joe Hornstein, Joe Katsh, A. L. Kirwin, Ben Knobel, Stanley Kolbert, Fred Lakeman, Jerome M. Loeb, Bud Lytton, Milton Maier, Harry Mandel, Harry A. Nadel, Eugene Picker, Arthur M. Ranf, Walter Reade, Jr., Sam Rosen, Fred Schwartz, Jr., Edward Seider, Max Seligman, Charles Sonin, Monroe E. Stein, James E. Stroock, Al Suchman.

Legitimate Theatres—Marcus Heiman, chairman; Ben A. Boyar, Howard Dietz, Sam Forrest, Harry M. Goetz, John Golden, Max Gordon, Harry Kaufman, William Klein, John Shubert, Lee Shubert.

Music Publishers and Composers—Jouis Bernstein, chairman; Jack Robbins, co-chairman; Irving Berlin, Jack J. Bregman, Irving Caesar, Lou Diamond, Max Dreyfus, Saul Immerman, Jack Mills, Edwin H. Morris.

Publications—Jack Alicoate, Maurice D. Kann, Martin Quigley, Sid Silverman, Sam Shain, Louis Sobol.

Night Clubs—Ted Friend, Lou Brecher, Hy Gardner.

Federation Representative—Leo Friedland.

Providence Censor Holds Up Garbo Film

PROVIDENCE, Nov. 25.—Captain George W. Cowan, police inspector of amusements, notified Loew's State Theatre here that he would not grant a license for the exhibition of "Two-Faced Woman," the new Greta Garbo picture, at this time.

Cowan left for Boston shortly after with his assistant, Lieutenant William F. McTiernan, and Jack Simon, manager of the State, where the picture will be screened for the police officials at the M-G-M exchange. The police censors have been instructed to submit a confidential report to department heads on their return.

Cowan said the license was withheld after the police censors received word that the Legion of Decency had placed the picture in its "C" classification.

Operators Get Wage Boost in Pittsburgh

PITTSBURGH, Nov. 25.—Operators' wages have been increased 7½ cents an hour by the terms of a new contract signed between the circuit theatres and Larry Katz, agent for the operators' union. The contracts, retroactive to Aug. 31, affect the Warner and Harris theatres, Shea's Fulton and Orpheum, Loew's Penn, Skirboll's Barry, and the Casino.

Rogers to Represent Feldman Productions

Budd Rogers has been appointed Eastern representative for the Charles K. Feldman Group Productions, it was announced. Rogers is currently supervising foreign distribution of Frank Capra films in collaboration with Warners. Under an arrangement with Group Productions, Universal has produced "Paris Calling," with Elisabeth Bergner, Randolph Scott and Basil Rathbone, and plans its release Jan. 16, it was stated.

'Ball of Fire' to Be Screened Dec. 10

RKO will hold the trade screening of the Samuel Goldwyn production, "Ball of Fire" in exchanges throughout the country on Dec. 10. It will be shown at 11 A.M. in all cities except St. Louis, where the showing will be at 11:30, and New York, where three screenings will be held, at 10:30 A.M., 2 P.M. and 4 P.M.

Leon Netter to Texas

Leon Netter, Paramount home office theatre executive, will leave for Lufkin, Tex., Friday to attend a meeting of directors of East Texas Theatres. He will also visit Paramount theatre affiliates in Dallas, New Orleans and Memphis.

Gov. Bricker of Ohio Stresses Films' Duty To Bar Propaganda

(Continued from page 1)

which M-G-M is introducing its mobile Showbuilder.

H. M. Richey, assistant to William F. Rodgers, Loew's vice-president and general sales manager, demonstrated the mobile unit to showmen here and explained its purpose of bringing more customers to the theatre, particularly the subsequent run houses. An "exhibitors' forum" was conducted by Richey in connection with the demonstration.

William A. Greene of the American Newspaper Publishers Ass'n explained the fundamentals of amusement advertising, in addressing the opening convention session. He emphasized that the show, not the theatre, should be sold. Other speakers included William R. Ferguson, Loew's exploitation director, and Edward Salzberg, Bluefield, W. Va., exhibitor.

The annual banquet was held tonight, followed by a screening of "Keep 'Em Flying" at the Grand.

SPG Talks Broken Off Over Salaries

Negotiations between the Screen Publicists Guild and home office publicity departments were broken off Monday largely because of differences over wage scales, it was learned yesterday. The Guild asked 30 per cent increases for those earning up to $75, 25 per cent for those earning between $75 and $100, and 20 per cent for those earning above $100, while the companies countered with a proposal of a flat 10 per cent raise for all, it was reported.

A tentative agreement was reached on classifying employes as publicists and associate publicists with the Guild asking a minimum of $60 to $75, on a sliding scale, for the former, and $35 to $50 for the latter while the companies offered a flat $5 and $30 minimum, respectively, it was said. No final definition of publicist and associate was reached, however. A tentative compromise also was reached on the S.P.G. demand for a closed shop.

With the breaking off of negotiations, however, both sides regard all tentative compromises as withdrawn it was reported. The S.P.G. executive council will meet tonight to consider the next steps to be taken.

Ayers, Seed Named W.B. District Chiefs

(Continued from page 1)

trict with supervision over Boston, New Haven, Albany and Buffalo. Seed, former Pittsburgh branch manager, will be Central district manager with headquarters in Pittsburgh and supervision over Pittsburgh, Cleveland, Cincinnati and Detroit. Smeltzer, former Central district manager, will now have supervision over Washington and Philadelphia with headquarters in Washington.

William Horan, salesman in the Boston branch, will take over Ayers' post as Boston branch manager, and F. D. Moore, Pittsburgh salesman, will succeed Seed.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 105 NEW YORK, U. S. A., THURSDAY, NOVEMBER 27, 1941 TEN CENTS

ule 'Bonus' to housands at oast Studios

% Back Salaries to Be Given Under Pact

HOLLYWOOD, Nov. 26.—Bonuses unestimated thousands of dollars the form of retroactive back pay creases will be paid thousands of udio workers shortly before the hristmas holiday, it was learned day.

Officers of the unions in the studio sic agreement and producer repre- ntatives are ironing out final details the new scales covered by the greement, under which the 10 per nt increase from July 1 was granted producers. The new scales offi- ally go into effect at the end of this eek.

Pat Casey, producers' labor contact, expected to issue the official wage cales for classifications of workers in ie seven signatory unions to studios the end of the week.

RKO Makes Further Sales Staff Changes

Further changes and promotions in ie RKO sales department were an- ounced yesterday by Ned E. Depinet, ice-president in charge of distribution. ack Osserman, Chicago branch man- ger, was promoted to Midwestern istrict manager, the post made vacant y the promotion of Walter Branson o Western division sales manager.

(Continued on page 4)

FDR Will Talk on Bill of Rights Show

President Roosevelt will participate in a special program to be carried by all networks on Monday, Dec. 15, designated by Congress as Bill of Rights Day. The occasion, the 150th anniversary of the ratification of the Bill of Rights, will be marked by an hour-long broadcast at 10 P.M., the major portion of which will be a dramatization by Norman Corwin of CBS called "We Hold These Truths." Corwin will also direct the show. Performers in New York, Washington and Hollywood will participate and a symphony orchestra will provide the music.

Frank Capra Signs 3-Year Producing Deal with 20th-Fox

HOLLYWOOD, Nov. 26.—Frank Capra today signed a three-year exclusive producer-director deal with 20th Century-Fox. He will have his own unit, which will be autonomous. The number of pictures he is scheduled to make was not revealed, but it was announced that his films will be billed as "Frank Capra Productions released through 20th Century-Fox." He is now shooting "Arsenic and Old Lace" for Warners on a one-picture deal.

Final Pleas Monday In Crescent Trial

NASHVILLE, Nov. 26.—The long drawn out Government anti-trust trial against Crescent Amusement Co., involving Universal and United Artists, is nearing a close, with final arguments scheduled in U. S. District Court here Monday before judge Elmer Davies.

The Government is expected to file a final brief Monday, before arguments are heard, in rebuttal to one filed by Universal and United Artists yesterday in which these companies maintained the right to select their customers as they choose.

"The fact that the party excluded by such choice is thereby injured is

(Continued on page 4)

Stars Will Aid in Defense Bond Sale

Hollywood, Nov. 26.—All stars making personal appearances will make an extra one in each city to stimulate the sale of U. S. defense bonds and stamps, it was announced today following the weekly meeting of the studio publicity directors' committee. Will H. Hays addressed the group, praising its work on behalf of the industry. It was decided also to service foreign correspondents from the domestic publicity departments.

Senate Probe Of Films Off Indefinitely

By BERTRAM F. LINZ

WASHINGTON, Nov. 26—The Senate sub-committee's investigation of alleged war propaganda in motion pictures and on the radio has been postponed indefinitely, it was learned today, and indications were given by committee members that the investigation will not be revived this year.

Senator D. Worth Clark of Idaho, chairman of the sub-committee, said

(Continued on page 4)

U.S. Decree 'Unworkable' Myers Says

Charge Decree Violations In Ohio ITO Report

COLUMBUS, Nov. 26.—The industry consent decree was termed "unwanted, unworkable and unsatisfactory" by Abram F. Myers, chairman and general counsel of Allied States, in an address to the ITO of Ohio convention here today.



Abram F. Myers

Myers said there is general dissatisfaction in exhibitor ranks with operations of the decree and that in all his travels he has not heard a single exhibitor say he favored the new selling method. He attributed the decree's alleged unpopularity to the fact

(Continued on page 4)

Rodgers Slated as Minn. Suit Witness

William F. Rodgers, Loew's vice-president and general sales manager, is scheduled to be the first industry witness to be called by the defense at the opening of trial of Minnesota's criminal informations against Paramount, RKO and 20th Century-Fox at St. Paul, Dec. 15, it is reported. The three companies are charged with violations of the state's anti-block-of-five law.

Top sales executives of other companies are scheduled to follow Rodgers on the stand.

Loew's has made no decision yet concerning a resumption of selling in Minnesota and no early move by the

(Continued on page 4)

Washer's Goldwyn Post Is Announced

Ben Washer has resigned from Donahue & Coe advertising agency to come Eastern advertising and publicity representative for Samuel Goldwyn, Inc., it was announced yesterday. The announcement confirmed MOTION PICTURE DAILY's story of yesterday.

Washer succeeds Lynn Farnol, who has resigned because of the pressure of duties as a captain in the Army.

Providence Police Bureau Upholds Garbo Film Ban

Archbishop Francis J. Spellman of New York, in a pastoral letter to be read at all masses in the diocese next Sunday, urges faithful Roman Catholics to refrain from seeing "Two-Faced Woman." This is said to be without local precedent.

PROVIDENCE, Nov. 26.—The Bureau of Police today upheld amusement inspector George W. Cowan's action in denying a license for the showing of "Two-Faced Woman," M-G-M Greta Garbo film, here. Inasmuch as the other cities and towns usually follow the lead of Providence in such matters, it is considered unlikely the picture will be shown anywhere in Rhode Island so long as the Legion of Decency "C" or "Condemned" rating on the film stands, officials declared.

Cowan, in denying the license appli-

(Continued on page 4)

Nominate Buxbaum To Head Associates

Harry Buxbaum, New York Metropolitan district manager for 20th Century-Fox, was nominated unanimously for the presidency of the Motion Picture Associates at a luncheon meeting at the Hotel Lincoln, yesterday. Joseph Lee, incumbent, declined the nomination, as did Jack Ellis, who held the post for three years prior to Lee. The elections will be held Dec. 10.

Other nominations are as follows: first vice-president, David Snaper, James Frank, Jr., Jerome Wilson and Jack Ellis; second vice-president, Moe Saunders, Mathew Cahan, Adolph Haas and Capt. Harry Miller; treasurer, Saul Trauner; financial secretary, Charles Penser; recording secretary, Moe Fraum.

Coast Flashes

Hollywood, Nov. 26

REPUBLIC today announced that it plans an annual junket to exchange cities of a group of younger players. For the first time the studio has built up a considerable group of upcoming players, with 15 to be groomed for featured roles.

•

Paramount today sued Bob Burns in Federal court, seeking $32,738 damages allegedly incurred in preparing "Joan of Arkansas," scheduled to start Nov. 3, in which, according to the complaint, Burns refused to appear.

•

The shorts subject branch of the Academy of M. P. Arts & Sciences last night reelected Pete Smith chairman. Gordon Hollingshead, Jules White and Smith were reelected to the executive committee. The group wired Mrs. Besa Short of Interstate Theatres, Dallas, commending her efforts in behalf of shorts.

Federal Writ Halts 'Tobacco Road' Ban

HAMMOND, Ind., Nov. 26.—Federal Judge Thomas W. Slick today entered a temporary restraining order to prevent the City of Hammond from banning a road company from presenting "Tobacco Road" at the Paramount here. He set Friday for a hearing on whether the order should be made permanent. The company, which had scheduled six performances, beginning tomorrow, asked the restrainer after Mayor Frank R. Martin threatened to "stop the show if obscenities were used."

Balaban Due from Coast Tomorrow

HOLLYWOOD, Nov. 26.—Barney Balaban, Paramount president, will leave by plane for New York tomorrow after studio conferences. Stanton Griffis, chairman of the executive committee, and Austin Keough, general counsel, will leave tomorrow by train.

Preston with Interboro

Lew Preston, for the past seven years with the Endicott Circuit, Brooklyn, has resigned to join the Interboro Circuit, in charge of the Bay Ridge and Bensonhurst territory under the personal direction of Stanley Kolbert.

Personal Mention

WILLIAM F. RODGERS is scheduled to leave the Coast today for New York.

•

PHIL LAUFER, publicist at Loew's Criterion here, and MRS. LAUFER, leave tomorrow for a two-week vacation in Florida.

•

JOHN A. SCHWALM, manager of the Northio Rialto, Hamilton, O., is visiting in Pennsylvania.

•

IRVING MARTIN, publicist for the Stanley Theatre, Baltimore, is spending the weekend in Richmond.

•

JOSEPH FORTE, manager of Warners' Parker, Darby, Pa., will be feted at a testimonial party to mark his election as president of the local Lions Club.

F. J. A. McCARTHY, Southern and Canadian sales manager for Universal, has left for Dallas, and is due back next week.

•

ALFRED HITCHCOCK is expected from Hollywood today.

•

ARTHUR GREENBLATT has arrived in Hollywood.

•

RICHARD LANE, ventriloquist, makes his professional debut at the Roxy tomorrow. He is a nephew of IRVING LUDWIG, manager of the Skouras' Forest Hills.

•

LES KAUFMAN, head of the Fanchon & Marco advertising and publicity department, St. Louis, is in charge of the newspaper division of the St. Louis Civilian Defense Committee.

Mayer Far Eastern 20th-Fox Sales Head

Charles E. Mayer, now manager for 20th Century-Fox in the Dutch East Indies, with headquarters in Batavia, has been named supervisor for the Far East, covering Japan, China, the Philippines, Federated Malay States and the Dutch East Indies, with headquarters in Manila. Mayer, now here, will leave next week for his territory.

Mayer replaces A. G. Doyle, who will return from Manila to the home office soon for a new assignment.

'Valley' Campaigns Judging on Tuesday

The five winners in the "Sun Valley Serenade" exploitation contest conducted by 20th Century-Fox will be decided next Tuesday, it is disclosed by A. M. Botsford, the company's advertising and publicity director. The judges are scheduled to meet at Toots Shor's Restaurant. The theatre managers or advertising men adjudged the winners will each be given two trips to Sun Valley.

'U' Party Follows 'Flying' Premiere

Universal was host at a supper party at the Hotel Astor last night following the premiere of "Keep 'Em Flying" at the Criterion. The party was in honor of Army Air Corps and recruiting officers and their wives who were guests at the premiere.

Shift W.B. Theatre Men in Phila. Zone

PHILADELPHIA, Nov. 26.—Several changes in Warner theatre management have been made here. George Kemble, former manager of the Orient here, has been shifted to the Levoy, Milleville, N. J., replacing Harry Orlow, moved to the Clementon, Clementon, N. J. Harold Branson has been moved from the Leader to the Diamond, replacing Gerald Weissler, promoted to the Columbia, in place of John Sassenroth, shifted to the Orient.

In Pittsburgh, Kenneth Robertson, former manager in State College, Pa., has been named assistant advertising manager for Warner Theatres here, assisting James Totman.

Seek Age Limit Rise On N.O. Child Price

NEW ORLEANS, Nov. 26.—A move to obtain half-price admission for children until they are 17 years old has been started by the New Orleans Federation of Clubs. Children are now admitted for half price only until the age of 12.

The Federation maintains that children under 16 cannot work and earn money to pay the present price because of existing laws.

Prints Go Out on New Trailer for Defense

Prints of "Pots to Planes," three-minute trailer on the reclamation of scrap aluminum for airplane manufacture, produced by the Office for Emergency Management Film Unit, have been shipped to exchanges throughout the country under the auspices of the Motion Picture Committee Cooperating for National Defense.

Dismiss Ben Roman Suit

The $250,000 damage action of Ben Roman against Paramount, charging breach of an oral contract on two reissues, was dismissed yesterday by N. Y. Supreme Court Justice Dineen after a three-day trial before a jury. Louis Nizer represented Paramount. The two films were "Morocco" and "The Spoilers," on which Roman claimed to have the rights in the New York Metropolitan area.

Price Increases Not 'Urgent': Ohio I.T.O.

Columbus, Nov. 26.—The ITO of Ohio deferred action at the organization's convention here today on a proposal recommending general increases in admission scales throughout the state. The convention committee which considered the proposal held that the need for general action is not urgent at this time and recommended that the subject be left open for discussion at a later date.

Huss Is Cincinnati Variety Club Head

CINCINNATI, Nov. 26. — F. W. Huss, president of Associated Theatres, Inc., has been elected chief barker of the local Variety Club, to succeed William Onie. Andrew J. Niedenthal and William Devaney were named first and second chief barkers, respectively. Saul M. Greenberg was reelected property master and Peter Niland was named doughguy.

Canvasmen, in addition to Onie, Arthur Frudenfeld, Allan S. Moritz, Joseph J. Oulahan and Harry J. Wessel, past chief barkers, are: James J. Grady, Harris Dudelson, Nat Kaplan, Al Kolitz, Albert Weinstein, Huss, Niedenthal, Devaney, Greenberg and Niland. The installation dinner will be held next Monday.

Priorities Hit Frisco House Renovations

SAN FRANCISCO, Nov. 26.—Priorities are hindering numerous local deals for new neighborhood houses plus several repair deals. Aaron Goldberg, owner of a local circuit, has dropped plans to remodel the Egyptian. Golden State circuit's Granada has been without a marquee since July, owing to inability to get steel to finish a job started at that time. Fox West Coast's California, downtown, has a torn-up lobby and half-finished marquee, for the same reason.

English Film to World

"Laburnum Grove," produced in England by Basil Dean, and starring Edmund Gwenn, will open at the World Theatre on Monday.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

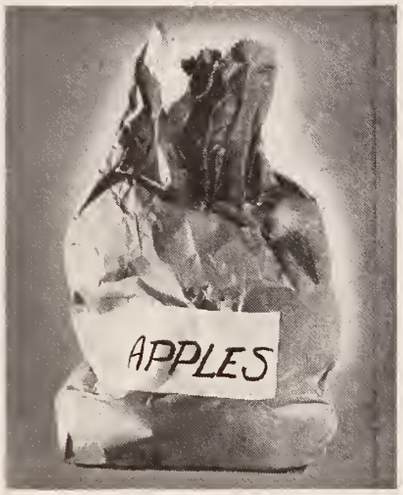
"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats., Sun., Thurs. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

CORRECTION!
M-G-M TRADE SHOWING
"BABES ON BROADWAY"
The New Date is
December 5th
(Dec. 2nd for New York and New Jersey Districts)

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
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Which Would You Buy?





IT'S THE SAME WITH PICTURES...FOR NEW YEARS!

Why buy an unknown quantity when you
can get the picture that

BROKE EVERY HOUSE RECORD AT THE WARNER, MILWAUKEE

OUTGROSSED "DIVE BOMBER" AT THE STRAND, NEW YORK

DOUBLED "DODGE CITY" BIZ AT THE ROGER SHERMAN, NEW HAVEN

Take the guesswork out of your
New Years' booking—with

WARNERS'

"THEY DIED WITH THEIR BOOTS ON"

ERROL FLYNN
OLIVIA DeHAVILLAND
in
"THEY DIED WITH THEIR BOOTS ON"
with
ARTHUR KENNEDY • CHARLEY GRAPEWIN
GENE LOCKHART
Directed by **RAOUL WALSH**
Original Screen Play by Wally Kline and Aeneas MacKenzie • Music by Max Steiner

NEW SEASON! • WB WARNER BROS. • NEW BOXOFFICE HIGHS!

U.S. Decree 'Unworkable' Myers Says

(Continued from page 1)

that it was written without exhibitor approval and said there are many defects in its makeup.

"Any way you look at the decree, the consenting companies can choose their own selling method after June 1, 1942," Myers declared.

Myers, in expressing hopes for the success of the all-industry unity meeting at Chicago, Dec. 9, said that it offered exhibitors the opportunity of formulating a trade practice policy which would be acceptable to them and to the distribution companies and which might replace the consent decree.

In discussing the unity movement, Myers emphasized the industry's need for a united front to protect itself against unfair taxation.

P. J. Wood, secretary of the ITO, submitted a report to the convention which showed that 110 exhibitors in replying to an organization questionnaire on experiences with the decree selling system had charged one or more distributors in the Ohio territory of violating the decree by demanding the purchase of short subjects and newsreels in advance of discussions of feature picture deals. Others charged that distributors had refused to sell them subsequent picture blocks unless the prior blocks were bought first.

All officers of the organization were reelected and only two changes were made in the directorate. The new directors are Henry S. Fickinger and Willis Vance.

The convention adopted a resolution expressing appreciation to M-G-M for conducting an exhibitor forum on trade building problems in connection with the convention.

NSS Talks Union Pact

Motion Picture Laboratory Technicians Union, Local 702, this week started negotiations with National Screen Service for a contract covering laboratory workers, the union disclosed yesterday. About 13 men are involved, it was said.

No FCC Power to Halt Theatre News

Washington, Nov. 26.—The FCC reports that it has answered an inquiry from a Maine theatre owner that there is no provision in the Communications Act or FCC regulations to prevent a radio receiver being linked to theatre sound equipment for amplifying of newscasts by a local broadcasting station. The exhibitor was not named.

The commission made no mention, however, of a recent injunction granted to Mutual against Muzak, Inc., preventing the latter from picking up World Series broadcasts and transmitting the description over its own leased lines to restaurants and hotels.

Providence Police Bureau Upholds Garbo Film Ban

(Continued from page 1)

cation of Loew's State yesterday, stated he based his action on the Legion's condemnation. This was before he had seen the picture at the M-G-M exchange in Boston. The Bureau acted today after receiving a confidential report from Cowan after he had seen the picture.

The *Providence Journal* in an editorial today censured Cowan, stating in part: "The Legion of Decency is perfectly proper and perfectly valid in rating pictures and making its recommendations for the information and guidance of its members. In doing this, it is using moral suasion.

"But it is something else again when the officials of a community, who are servants of people of all faiths and creeds, invoke the police power to enforce the recommendation of a sectarian organization and impose the judgment of this organization as the official judgment, backed by the police authority.

"The police censor and the Bureau of Police and Fire are to be blamed for this wrongful exercise of power. They have made it to appear that a private sectarian organization is the censor of this moving picture. We have not seen the picture but we feel that the principle of public authority involved in the issue is the important thing."

An editorial expressing similar views appeared in today's *Brown Daily Herald,* Brown University undergraduate publication.

Jack Simons, manager of Loew's State, received instructions from the home office to withdraw all advertising on the film, but a company statement added that "this does not mean we have no intention of showing the film in Providence." Amplification of the statement was refused. The censorship action has received page one prominence in the *Journal* and *Evening Bulletin.*

HOLLYWOOD, Nov. 26.—M-G-M executives today declined to comment on the action of the police censor in Providence in holding up "Two-Faced Woman."

RKO Makes Further Sales Staff Changes

(Continued from page 1)

Sam Gorelick, Chicago sales manager, was named to succeed Osserman.

Emmet Cashman, home office representative, has been promoted to the post of assistant to William Dahler, in charge of sales approval for the Eastern division.

A. A. Schubart, manager of exchange operations, announced a realignment of territories for other home office representatives. Jack de Waal will be in charge of New York, Philadelphia, Pittsburgh and Washington; Dan Nolan, Boston, New Haven, Albany, Buffalo and Toronto; A. F. Braeunig, Cleveland, Cincinnati, Indianapolis and Detroit; John B. Wangberg, Charlotte, Atlanta, Dallas, Memphis and New Orleans; William A. Burke, Chicago, Milwaukee, St. Louis, Kansas City and Denver; Elmer Sedin, Minneapolis, Sioux Falls, Omaha, Des Moines and Oklahoma City; and J. J. Schmitzer, Los Angeles, San Francisco, Portland, Seattle and Salt Lake City.

Senate Film Probe Is Off Indefinitely

(Continued from page 1)

there are "too many pressing matters" pending in Congress for the committee to resume its propaganda investigation.

Isolationist members of the subcommittee have refused to say that the probe has folded, but nothing has been done since the hearings recessed Sept. 28 nor have any of the allegedly propaganda pictures been screened despite repeated promises of committee members to see them.

Shift Metro Showing

M-G-M will trade show "Babes on Broadway" on Dec. 5 instead of Dec. 9, as previously scheduled. In New York the film will be shown on Dec. 2, along with "Dr. Kildare's Victory"

Final Pleas Monday In Crescent Trial

(Continued from page 1)

not a violation of the Sherman Act," the brief stated.

Citing the Interstate Circuit case in Texas, the brief declared: "This does not mean that the defendant distributors may also agree with their customer to impose restraint on the freedom of a third party in the operation of the latter's own business."

In a "summary of argument," Universal and U. A. suggested that "the principles proposed by the Government" that "yielding to buying power" in the choice of customers is illegal or wrong involve the court in judicial legislation of far reaching consequences."

Rodgers Slated as Minn. Suit Witness

(Continued from page 1)

company is anticipated. Loew's is the only company not selling in the state at this time.

Home office attorneys foresee no difficulty in obtaining a trial of the criminal informations first despite reports from St. Paul that the county attorney there would insist upon trial of the equity action brought by the consenting companies in an effort to obtain an injunction against enforcement of the Minnesota law ahead of the criminal cases. The latter are regarded by distributor counsel as offering the quickest and most definitive test of the constitutionality of the Minnesota law.

F.C.C. Newspaper Hearing Off to Dec. 4

WASHINGTON, Nov. 26.—Hearings on newspaper ownership of radio stations scheduled for tomorrow were postponed until Dec. 4 by the FCC today. The postponement was ordered to give counsel time to prepare exhibits to be submitted.

Mexico Made 273 Films in 11 Years

Mexico City, Nov. 26.—The Association of Mexican Picture Producers reports that from 1930 to Aug. 31, 1941, this country made 273 features. The modern phase of the industry began in 1930 with the production of the first talking films. Only two features were made in that year, the next poorest to 1940, when the output was but 27. It is predicted that 1941 will end with the completion of about 40 features.

Johnston Holdings Reported by S.E.C.

WASHINGTON, Nov. 26.—The acquisition of common shares by W. Ray Johnston, president of Monogram Pictures, has been reported by the Security and Exchange Commission in a report on transactions.

Johnston received an aggregate of 959 shares of Monogram common stock in August as payment on a loan, giving him a total of 24,232 shares held direct, while through Monogram Film Distributors of Kansas City he acquired 1,918 shares, disposing of them as payment of a loan; through Monogram Pictures of Cincinnati he acquired 3,285 shares, and through Monogram Pictures of St. Louis 1,778 shares.

In the same company, John W. Mangham, Atlanta, director, acquired 5,670 shares of common through Monogram Southern in June, 1,030 shares in July and 5,571 shares in August; Howard W. Stubbins, director, acquired 2,588 shares through Monogram Pictures of California and 1,295 shares through Monogram Pictures of the Northwest in August, and in the same month Charles W. Trampe, Milwaukee, director, received 2,306 shares from Monogram Midwest Film Co. in settlement of a debt.

Meehan Holdings Reported

A late report for June showed that Michael J. Meehan acquired 882 shares of Keith-Albee-Orpheum preferred stock and sold 16,023 shares to Radio-Keith-Orpheum Corp., leaving him with 63 shares at the close of the month, and a report on closed-end investment companies showed that Robert R. Young, director in Pathe Film, disposed of 6,500 shares of Pathe common stock in September, leaving him with 13,997 shares.

Reports on holdings of persons becoming officers or directors of registered corporations showed that William F. Rodgers, vice-president, held no Loew's, Inc., securities direct but held 67 shares of common stock through a holding company when he became an officer Sept. 3.

Salutes to WHN on Increase in Power

WQAM, station owned by the city of Miami, will salute WHN tonight in honor of the latter's going to 50,000 watts tomorrow. The Republic of Cuba will honor WHN by special broadcasts over its long and short wave stations tomorrow, and WWRL, New York, will have a salute program tomorrow evening at 10:45.

Squadron' at $6,400 Tallies Best in Seattle

SEATTLE, Nov. 26. — "International quadron" at the Orpheum took $6,-). Other grosses were down. "The tle Foxes" at the Fifth Avenue w $7,100. The weather was cold dry.

Estimated receipts for the week end- Nov. 21:

milin' Through" (M-G-M)
oon Over Her Shoulder" (20th-Fox)
LUE MOUSE—(950) (30c-40c-58c-70c) 7 s, 2nd week. Moved from Fifth Avenue. oss: $3,600. (Average, $4,000)
he Little Foxes" (RKO)
lying Cadets" (Univ.)
IFTH AVENUE—(2,500) (30c-40c-58c-) 7 days. Gross: $7,100. (Average, $7,000)
ou'll Never Get Rich" (Col.)
llery Queen and the Perfect Crime" B.)
IBERTY — (1,800) (30c-40c-58c-70c) 7 s, 3rd week. Gross: $5,600. (Average, 00)
onky Tonk" (M-G-M)
USIC BOX—(950) (30c-40c-58c-70c) 7 s, 4th week. Moved from Paramount. oss: $3,200. (Average, $4,000)
nternational Squadron" (W. B.)
he Smiling Ghost" (W. B.)
ORPHEUM—(2,450) (30c-40c-58c) 7 days. oss: $6,400. (Average, $6,000)
op Sergeant Mulligan" (Mono.)
ailors on Leave" (Rep.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. ge: Vaudeville. Gross: $5,200. (Aver- e. $5,000)
irth of the Blues" (Para.)
harlie Chan in Rio" (20th-Fox)
PARAMOUNT — (3,050) (30c-40c-58c) 7 s, 2nd week. Gross: $5,900. (Average, 000)

Heaven' Gets Big $12,500 in Toronto

TORONTO, Nov. 26.—"One Foot in eaven" stepped up to $12,500 at the nperial, while "You'll Never Get ich" proved a popular draw at hea's Theatre with $12,300.

Estimated receipts for the week end- g Nov. 22:

The Maltese Falcon" (W. B.)
EGLINTON — (1,086) (18c-30c-48c-60c) 6 s, 4th week. Gross: $4,000. (Average, 500)
One Foot in Heaven" (W. B.)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 s. Gross: $12,500. (Average, $9,000)
Smilin' Through" (M-G-M)
Tanks a Million" (U. A.)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 s. Gross: $11,800. (Average, $9,000)
You'll Never Get Rich" (Col.)
SHEA'S — (2,480) (18c-30c-42c-60c-90c) 6 s. Gross: $12,300. (Average, $9,000)
Nothing But the Truth" (Para.)
Buy Me That Town" (Para.)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. ross: $3,500. (Average, $3,900)
Lydia" (U. A.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 s. Gross: $10,000. (Average, $9,000)

Lydia' Best Bet in Omaha with $4,200

OMAHA, Nov. 26.—"Lydia" at the aramount led with $4,200. "One oot in Heaven" and "The Gay Fal- n" drew $4,700 at the Brandeis. The eather was cold and unsettled, and n ice show provided competition.

Estimated receipts for the week end- g Nov. 19-20:

One Foot in Heaven" (W.B.)
The Gay Falcon" (RKO)
BRANDEIS—(1,200) (30c-44c) 7 days. Gross: $4,700. (Average, $4,000)
The Chocolate Soldier" (M-G-M)
The Smiling Ghost" (W.B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: 5,800. (Average, $6,000)
Henry Aldrich for President" (Para.)
ORPHEUM—(3,000) (40c-55c) 7 days. tage: Herbie Kay's orchestra. Gross: 14,600. (Average, $14,500)
Lydia" (U.A.)
This Way Please" (Para.)
PARAMOUNT—(3,000) (30c-44c) 5 days. Gross: $4,200. (Average, $3,000)

Reviews

"Go West, Young Lady"

(Columbia)

HERE'S a rollicking combination of wild comedy and Western melodrama that makes for a choice bit of entertainment, and should please most types of customers. Conceived and executed with little care for convention, it should come as a welcome change both for those who care for Westerns and those who are not generally partial to them.

Producer Robert Sparks employed a competent cast that includes Penny Singleton, Ann Miller, Glenn Ford, Charlie Ruggles, Allen Jenkins, Jed Prouty and others. Miss Singleton, who, as the visitor from the East, handles a mass Indian attack, outlaws and the like with casual effort, is perfectly suited to the role and does very well. Miss Miller's dancing and singing add a good deal of flavor to the production, and Ford, the sheriff who has designs on and finally wins Miss Singleton, also contributes. Frank P. Strayer's direction makes the most of the story.

Running time, 71 minutes. "G."* EUGENE ARNEEL

"Tonto Basin Outlaws"

(Monogram)

Lincoln, Nov. 26

THE Range Busters hit the trail in this above-average western to come out with a mild winner. The trio, Ray "Crash" Corrigan, John "Dusty" King, and comic Max "Alibi" Terhune enlist with T. R.'s Rough Riders. The Army refuses to accept them, and sends them back to King's native Wyoming to track down a gang of crooks who've been rustling Government cattle.

Corrigan, posing as a cowboy out of work, seeks a job with Tristram Coffin's outfit in an attempt to develop a lead on the rustling. Coffin, a boyhood chum of Corrigan, is tipped off to the latter's identity. Terhune and King, meanwhile, go their separate ways to round up the rustlers. The climax is King's stampede of a herd of wild cattle through the town as Corrigan and Coffin shoot it out. Feminine interest is blonde Jan Wiley, as a newspaperwoman sent to the Tonto Basin. A featured song is "Cabin of My Dreams". Robert Cline's photography is good, as is the direction of S. Roy Luby.

Running time, 60 minutes. "G."*

"Riding the Sunset Trail"

(Monogram)

Lincoln, Nov. 26

SATISFACTORY action fare is this Tom Keene western. Robert Tansey, producer-director, has made some minor alterations in the casting setup which improves this number over its predecessors. Frank Yaconelli has been added to the cast.

The plot is routine with Jib Aubrey, supposedly murdered by his half-brother so the latter could cash in on a fake will, and Aubrey's eventual return to convict the half brother. Betty Dawson as Aubrey's daughter is the feminine interest and Sugar Dawn, another daughter. Keene and Yaconelli make fools of Ken Duncan, the half-brother, and his hirelings, Earle Douglas and Tom Seidel, at every meeting. Duncan finally hires Gene Alsace to ambush Keene, but Alsace turns out to be a crook gone straight. Tansey's production and direction are good and photography by Marcel LePicard is fine.

Running time, 56 minutes. "G."*

**"G" denotes general classification.*

Will Organize Office Workers in St. Louis

ST. LOUIS, Nov. 26.—Organization of white collar workers along film row here has been started by the AFL Stenographers, Typists, Bookkeepers and Assistants Union, Local 17,707. Aiding the drive is the Film Exchange Employes, Local B-1 of the IATSE.

Louis D. Lovato, business representative of the exchange union, said the white collar drive has resulted in the signing up of more than 50 employes in six exchanges—Paramount, United Artists, Republic, P.R.C. and Columbia.

Omaha Musicians' Officers Reelected

OMAHA, Nov. 26.—All officers of the Omaha musicians union, Local 70, have been reelected for one year with the exception of Ernest Nordin, Sr., who was succeeded by Harold L. Black as vice-president.

Peter J. Christmas was again named president; Harold Pace, recording secretary; Mike Chaloupka, treasurer and financial secretary; Fred Borghoff, sergeant-at-arms. Arthur Randall, Ted Kowalski, Emil Hoppe, George Johnson and Charles Christensen were named to the board of directors.

'Laughing' Is Hit in Frisco With $22,000

SAN FRANCISCO, Nov. 26.—"Look Who's Laughing" opened at the Golden Gate, and drew $22,000, aided by a personal appearance of Edgar Bergen & Charlie McCarthy. "Hot Spot" and "Great Guns" drew $15,000 at the Fox. The weather was clear.

Estimated receipts for the week ending Nov. 18-20:

"Look Who's Laughing" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days. Stage: vaudeville. Gross: $22,000. (Average, $15,000)
"Appointment for Love" (Univ.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days, 3rd week. Gross: $6,500. (Average, $7,500)
"Texas" (Col.)
"Two Latins from Manhattan" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $7,800. (Average, $8,000)
"Swamp Water" (20th-Fox)
"Moon Over Her Shoulder" (20th-Fox)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $10,500. (Average, $11,500)
"Hot Spot" (20th-Fox)
"Great Guns" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $15,000. (Average, $16,000)
"Nothing But the Truth" (Para.)
"Nine Lives Are Not Enough" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. (Moved over from Fox.) Gross: $4,200. (Average, $4,500)
"Sergeant York" (W. B.)
WARFIELD—(2,680) (25c-50c-65c) 7 days, 5th week. Gross: $9,000. (Average, $12,000)
"Quiet Wedding" (Univ.)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $700. (Average, $1,000)

'Squadron' $7,400 Indianapolis Gross

INDIANAPOLIS, Nov. 26.—"International Squadron" and "Father Takes a Wife" did $7,400 at the Circle in a warm week. All first runs but Loew's had a short week in order to open new showings on Thanksgiving Day.

Estimated receipts for the week ending Nov. 20:

"International Squadron" (W. B.)
"Father Takes a Wife" (RKO)
CIRCLE — (2,800) (28c-33c-44c) 6 days. Gross: $7,400. (Seven-day average, $6,500).
"Appointment for Love" (Univ.)
"Never Give a Sucker an Even Break" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 6 days. Gross: $6,200. (Seven-day average, $7,000)
"The Chocolate Soldier" (M-G-M)
"Three Girls Around Town" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $7,100. (Average, $8,000)
"Week-End in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 6 days, 2nd week. Gross: $3,700. (Seven-day average, $4,500)

'Falcon' Captures $6,800, New Haven

NEW HAVEN, Nov. 26. — "The Maltese Falcon," dualled with "Father Takes a Wife" at the Roger Sherman, took $6,800. "Week-End in Havana" and "Great Guns" took $9,000, and the bill moves to the College for a second week.

Estimated receipts for the week ending Nov. 20:

"The Chocolate Soldier" (M-G-M)
"Tillie the Toiler" (Col.)
COLLEGE—(1,627) (40c-50c) 7 days, 2nd week. Gross: $1,900. (Average, $2,700)
"Week-End in Havana" (20th-Fox)
"Great Guns" (20th-Fox)
LOEW-POLI—(3,005) (40c-50c) 7 days. Gross: $9,000. (Average, $8,000)
"It Started With Eve" (Univ.)
"Buy Me That Town" (Para.)
PARAMOUNT—(2,373) (40c-50c) 6 days, 2nd week. Gross: $4,000. (Average, $4,500)
"The Maltese Falcon" (W.B.)
"Father Takes A Wife" (RKO)
ROGER SHERMAN—(2,076) (40c-50c) 7 days. Gross: $6,800. (Average, $5,000)

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 31	You Belong to Me (C) *B. Stanwyck Henry Fonda* (1941-42)		Riding the Sunset Trail (O) *Tom Keene* (1940-41)	New York Town (D) 4105 *F. MacMurray Mary Martin* (1941-42)	Mr. Celebrity 114 (D) *Buzzy Henry* (1940-41)	Public Enemies (D) *Philip Terry Wendy Barrie* (1941-42)	Dumbo (Disney Feature) 293 (1941-42)		Sundown (D) All American Co-Ed (C) (Streamliner) (1941-42)	Appointment for Love (D) *Charles Boyer M. Sullavan* (1941-42)	One Foot in Heaven (D) 108 *Fredric March Martha Scott* (1941-42)
Nov. 7	The Stork Pays Off (C) 3036 *M. Rosenbloom* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy Rise Stevens*	Siren of the South Seas (Re-issue) (1941-42)	Birth of the Blues (M) 4109 *Crosby-Martin* (1941-42)	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray F. Langford* (1941-42)	Target for Tonight 109 (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson Edw. Arnold*			Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	I Wake Up Screaming (D) 216 *Grable-Landis* (1941-42)	Miss Polly (C) (Streamliner) *Zasu Pitts* (1941-42)		Blues in the Night (D) 110 *Priscilla Lane Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell Myrna Loy*	Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*	I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)			Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Corsican Brothers (D) Fiesta (M) (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* (1941-42)	
Dec. 5	Sing for Your Supper (C) *Buddy Rogers* (1941-42)	H. M. Pulham, Esq. (D) 212 *Hedy Lamarr Young-Hussey* Kathleen (D) 215 *Shirley Temple Herb. Marshall*	Borrowed Hero (D) Lone Star Law Men (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* (1941-42)			Swamp Water (D) 218 *Huston-Brennan* (1941-42)		Sealed Lips (D) *William Gargan* (1941-42)	The Body Disappears (C) 111 *Lynn-Wyman* (1941-42)
Dec. 12	Honolulu Lu (D) *Lupe Velez* (1941-42)		Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 (1941-42)	Red River Valley (O) 152 *Roy Rogers* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	The Wolf Man (D) *Claude Rains* (1941-42)	Steel Against the Sky (D) 112 *Alexis Smith* (1941-42)
Dec. 19	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)	Design for Scandal (C) 213 *Rosalind Russell Walt. Pidgeon* Tarzan's Secret Treasure (D) 214 *J. Weissmuller M. O'Sullivan*	Boy of Mine (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	West of Cimarron (O) 163 *3 Mesquiteers* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornel Wilde* (1941-42)		Melody Lane (C) Road Agent (D) (1941-42)	
Dec. 25	Harvard, Here I Come (C) *M. Rosenbloom* (1941-42)		Forbidden Trails (O) Here Come the Marines (D) (1941-42)	Louisiana Purchase (M) *Hope-Zorina* (1941-42)	Blonde Comet (D) 116 *Robert Kent* (1940-41)	Mr. District Attorney and the Carter Case (D) (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)		The Gold Rush (Re-Issue) Dudes are Pretty People (C) (Streamliner) (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	You're in the Army Now (C) 113 *Jimmy Durante* (1941-42)
Jan. 2			Freckles Comes Home (D) *Johnny Downs* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd* (1941-42)	Arizona Terrors (O) 174 *Don Barry* (1941-42)			Twin Beds (C) *Joan Bennett George Brent* (1941-42)	Don't Get Personal (C) *Hugh Herbert* (1941-42)	They Died With Their Boots On (D) *Errol Flynn* (1941-42)
Jan. 9			Thunder River Feud (O) *Range Busters* (1941-42)		Lone Rider and Bandit (O) 263 Girls' Town (D) 202 (1941-42)					Jail House Blues (C) *Robert Paige* (1941-42)	All Through the Night (D) 116 *Bogart-Veidt* (1941-42)
Jan. 16					Duke of the Navy (D) 206 *Ralph Byrd* (1941-42)	Man From Cheyenne (O) *Roy Rogers* (1941-42)				Paris Calling (D) *Randolph Scott* (1941-42)	

atins,' Show ull $28,000, Philadelphia

HILADELPHIA, Nov. 26.—Combina- of Artie Shaw's band on the stage he Earle with "Two Latins From hattan" on the screen brought a $28,000. The Thanksgiving holi- has been deferred here until Nov. and the national observance meant e to any of the downtown houses. stimated receipts for the week end- Nov. 18-21:

rgeant York" (W. B.)
DINE—(1,400) (46c-57c-75c) 7 days, 5th k. Gross: $11,000. (Average, $9,000)
ilin' Through" (M-G-M)
RCADIA—(600) (35c-46c-57c) 7 days, 2nd Gross: $4,200. (Average, $2,600)
e Chocolate Soldier" (M-G-M)
YD—(2,400) (35c-41c-46c-57c-68c) 7 days. ss: $13,000. (Average, $13,000)
o Latins from Manhattan" (Col.)
ARLE — (4,000) (35c-41c-46c-57c-68c) 7 s. Vaudeville including Artie Shaw's estra, Orrin "Hot Lips" Page, Dave gh, Georgie Auld, Les Robinson, Jack y, Paula Kelly, Jack Conniff, The Col- s, and Bob Dupont. Gross: $28,000. erage, $14,000)
y Me That Town" (Para.)
AY'S — (2,190) (15c-29c-35c-46c-57c) 7 s. Vaudeville including Dian Rowland, rcellita, The Three Sailors, Richard e, Jim Wong Troupe, Eddie Shayne & rlotte Armstrong, Gae Foster Roxyettes Billy Klaiss' orchestra. Gross: $6,900. erage, $6,900)
ot Spot" (20th-Fox)
OX—(3,000) (35c-41c-46c-57c-68c) 7 days. ss: $13,000. (Average, $13,000)
e Feminine Touch" (M-G-M)
ARLTON—(1,000) (35c-41c-46c-57c-68c) 6 s, 2nd run. Gross: $4,300. (Average, 00))
ou Belong to Me" (Col.)
EITH'S—(2,200) (35c-41c-46c-57c-68c) 6 s, 2nd run. Gross: $3,500. (Average, 00))
nholy Partners" (M-G-M)
TANLEY—(2,700) (35c-41c-46c-57c-68c) 7 s. Gross: $10,500. (Average, $14,000)
d Lands of Dakota" (Univ.)
TANTON—(1,700) (35c-46c-57c) 7 days. ss: $6,000. (Average, $4,500)

oldier' and Show Big in Milwaukee

MILWAUKEE, Nov. 26. — A twin ge bill—Blackstone the Magician d Major Bowes' Prize Winners of 41—with the film, "Swing It Sol- er" connected for $12,900 at the verside. "It Started with Eve" and adlands of Dakota" drew $11,800 the Warner.

Estimated receipts for the week end- Nov. 19-20:

Week-End in Havana" (20th-Fox)
reat Guns" (20th-Fox)
PALACE—(2,400) (33c-44c-55c) 6 days, d week. Gross: $4,000. (Average, $4,000)
milin' Through" (M-G-M)
he Feminine Touch" (M-G-M)
STRAND—(1,400) (44c-65c) 6 days. Gross: 900. (Average, $1,500)
t Started with Eve" (Univ.)
Badlands of Dakota" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. ross: $11,800 (Average, $4,500)
The Chocolate Soldier" (M-G-M)
Man at Large" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 6 days. ross: $8,700 (Average, $5,500)
Swing It Soldier" (Univ.)
RIVERSIDE—(2,700) (30c-40c-50c) 7 days. age: Blackstone the Magician and Ma- r Bowes' Prize Winners of 1941. Gross: 2,900 (Average, $6,500).

Sue on Accident Deaths

BUFFALO, Nov. 26. — Mrs. Jennie laimo and Mrs. Johanna Metildi, hose husbands were killed May 1, 940, in the collapse of a theatre on hich they were working in Canan- aigua, have brought suit for damages f $76,500 each. They allege the state ailed to inspect the work properly.

'Texas' and 'Rich' Hit in Los Angeles With $31,500 Gross

LOS ANGELES, Nov. 26.—"Texas" and "You'll Never Get Rich" scored well here, with a total of $31,500, taking $16,000 at the Hillstreet and $15,500 at the Pantages. Other grosses were fair.

Estimated receipts for the week ending Nov. 19:

"Hot Spot" (20th-Fox)
"Small Town Deb" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $8,600. (Average, $12,000)
"Sundown" (U.A.)
4 STAR—(900) (44c-55c) 7 days, 5th week. Gross: $3,000. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(1100) (33c-44c-55c-75c) 7 days, 5th week. Gross: $6,500.
"Texas" (Col.)
"You'll Never Get Rich" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $6,500)
"Hot Spot" (20th-Fox)
"Small Town Deb" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)
"Texas" (Col.)
"You'll Never Get Rich" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $15,500. (Average, $7,000)
"Birth of the Blues" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, 2nd week. Stage: Freddie Martin. Gross: $18,000. (Average, $18,000)
"Blues in the Night" (W.B.)
"You Belong to Me" (Col.)
WARNER BROS. (Hollywood) (3,000) (33c-44c-55c-75c) 7 days. "Belong" 2nd week. Gross: $12,500. (Average, $14,000)
"Blues in the Night" (W.B.)
"You Belong to Me" (Col.)
WARNER BROS. (Downtown) (3,400) (33c-44c-55c-75c) 7 days. "Belong," 2nd week. Gross: $12,900. (Average: $12,000)

'Girls,' Ben Bernie Cincinnati Leaders

CINCINNATI, Nov. 26.—"Three Girls About Town" and Ben Bernie took $13,400 at the Shubert. "Birth of the Blues" gave the RKO Albee $13,500. "The Maltese Falcon" grossed $11,000 at the RKO Palace.

Estimated receipts for the week ending Nov. 19-22:

"Birth of the Blues" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $13,500. (Average, $12,000)
"The Maltese Falcon" (W.B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)
"Three Girls About Town" (Col.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Stage: Ben Bernie and acts. Gross: $13,400. (Average, $10,000)
"Sergeant York" (W.B.)
RKO CAPITOL—(2,000) (40c-50c-60c) 7 days, 8th week. Gross: $5,800. (Average, at 33c-40c-50c, $5,500)
"One Foot in Heaven" (W.B.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days. 2nd week. Gross: $3,600. (Average, $5,000)
"South of Tahiti" (Univ.)
"Nine Lives Are Not Enough" (W.B)
RKO LYRIC—(1,400) (28c-40c) 7 days. Gross: $2,400. (Average, $4,500)
"Top Sergeant Mulligan" (Mono.)
"The Lonesome Rider Ambushed" (P.R.C.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Spooks Run Wild" (Mono.)
"Jesse James at Bay" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Unholy Partners" (M-G-M)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4,700. (Average, $5,000)

Leaves PRC Exchange

CHICAGO, Nov. 26.—Charles H. Miller has resigned as manager of the Producers Releasing Corporation exchange here to return to Superior Pictures, Inc., as general manager of the company's Midwest exchanges. He is succeeded by George Topper, former exhibitor, who recently bought the Chicago PRC franchise.

33 Comerford Men In Nation's Service

Scranton, Nov. 26. — The honor roll of the Comerford Circuit here, including theatre employes in the armed services of the country, now totals 33 men.

'Sundown' $13,000 Is Providence Best

PROVIDENCE, Nov. 26. — "Sundown" and "Ellery Queen and the Murder Ring," a new program at Loew's State, got $13,000. "Birth of the Blues" on a dual took $8,000 at the Strand.

Estimated receipts for the week ending Nov. 18-20:

"It Started with Eve" (Univ.)
"Week-End for Three" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 6 days, 2nd week. Gross: $6,500. (7-day average, $6,000)
"Sundown" (U.A.)
"Ellery Queen and the Murder Ring" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $13,000. (Average, $11,000)
"Appointment for Love" (Univ.)
"Never Give A Sucker An Even Break" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 6 days. Gross: $7,100. (Average, $7,000)
"Birth of the Blues" (Para.)
"The Pittsburgh Kid" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $8,000. (Average, $6,000)
"Nine Lives Are Not Enough" (W.B.)
FAY'S—(1,800) (20c-33c-44c) 7 days. Stage show with Harriett Walker; Don Rice; Cherie and Tomasita; Bobby Longdon; Ted Lester; Fenwick and Cooke; and Al Jahns orchestra. Gross: $6,200. (Average, $5,000)
"Zis-Boom-Bah" (Mono.)
METROPOLITAN—(3,045) (30c-39c-55c-75c) 3 days. Stage show with Dolly Dawn and her Orchestra; Desi Arnaz; the Mills Brothers; Al Trahan; Martez and Delita. Gross: $6,800. (Average, $5,000)
"Sergeant York" (W.B.)
CARLTON—(1,526) (44c-55c-65c) 7 days, 3rd week. Gross: $5,300. (Average, $3,500)
"Hold Back the Dawn" (Para.) (3 days)
"Harmon of Michigan" (Col.) (3 days)
"New York Town" (Para.) (4 days)
"Down in San Diego" (M-G-M) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,800)

'Touch' Sets Pace In Buffalo, $12,000

BUFFALO, Nov. 26.—All houses did fairly well in the short week before Thanksgiving. "The Feminine Touch" and "Unholy Partners" at the Buffalo drew $12,000.

Estimated receipts for the week ending Nov. 20:

"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
BUFFALO—(3,489) (35c-55c) 5 days. Gross: $12,000. (Average, $12,000)
"Sergeant York" (W.B.)
GREAT LAKES—(3,000) (35c-55c) 5 days, 3rd week. Gross: $7,000. (Average, $7,500)
"Week-End in Havana" (20th-Fox)
"Henry Aldrich for President" (Para.)
HIPPODROME—(2,100) (35c-50c) 5 days, 2nd week. Gross: $5,000. (Average, $6,800)
"Target for Tonight" (W.B.)
"Major Barbara" (U.A.)
TWENTIETH CENTURY—(3,000) (35c-55c) 5 days. Gross: $7,300. (Average, $7,500)
"It Started With Eve" (Univ.)
"Raiders Of The Desert" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 6 days. "It Started With Eve" 2nd week. Gross: $6,400. (Average, $6,300)

Audit Service Expands

Film Audit Service, of which Samuel Hacker is general manager, has opened an office in Dallas, which provides the company with complete coverage of the country, according to Hacker. Branches are in 19 cities in this country and in Toronto. Hacker has been identified with the industry for 10 years, and formerly was with First National, Columbia and Republic.

'Business' Is Chicago High With $44,000

CHICAGO, Nov. 26.—Week-end football crowds and Thanksgiving Day aided grosses considerably. The Chicago with "Unfinished Business" and Orrin Tucker's band on the stage took $44,000. "Chocolate Soldier" took $18,000 at United Artists.

Estimated receipts for the week ending Nov. 20:

"International Lady" (U.A.)
"Niagara Falls" (U.A.)
APOLLO — (1,400) (30c-40c-59c) 7 days. Gross: $6,200. (Average, $5,000)
"Unfinished Business" (Univ.)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage—Orrin Tucker Band. Gross: $44,000. (Average, $32,000)
"You'll Never Get Rich" (Col.)
GARRICK — (1,000) (35c-55c-75c) 7 days. Gross: $5,500. (Average, $5,000)
"Flying Cadets" (Univ.)
ORIENTAL — (3,200) (25c-35c-40c-50c) 7 days. Stage — "The Beachcombers" unit. Gross: $20,000. (Average, $16,000)
"All That Money Can Buy" (RKO)
"Swing It Soldier" (Univ.) 6 days
"Suspicion" (RKO)
"Week-End For Three" (RKO) 1 day
PALACE — (2,500) (30c-40c-60c) 7 days. Gross: $15,000. (Average, $13,000)
"New York Town" (Para.)
"Badlands of Dakota" (Univ.)
ROOSEVELT — (1,500) (30c-40c-59c) 7 days, 2nd week. Gross: $11,000. (Average, $11,000)
"Sergeant York" (W. B.)
STATE-LAKE — (3,700) (40c-44c-55c-75c) 7 days, 4th deek. Gross: $20,000. Average, $14,000)
"The Chocolate Soldier" (M-G-M)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days. Gross: $18,000. (Average, $14,000)

'Man,' Show Good Kansas City Tally

KANSAS CITY, Nov. 26.—"Man at Large," plus "George White's Scandals of 1941," on the stage of the Tower, drew a strong $13,000. "The Maltese Falcon" took $10,000 at the Newman.

Estimated receipts for the week ending Nov. 19-20:

"Hot Spot" (20th-Fox)
ESQUIRE—(800) (30c-44c) 8 days. Gross: $2,400. (Average, 8 days, $2,600)
"The Chocolate Soldier" (M-G-M)
"Three Girls About Town" (Col.)
MIDLAND — (3,600) (30c-44c) 7 days. Gross: $7,000. (Average, $8,500)
"The Maltese Falcon" (W. B.)
NEWMAN — (1,900) (30c-44c) 9 days. Gross: $10,000. (9-day average, $9,000)
"Father Takes a Wife" (RKO)
"Parachute Battalion" (RKO)
ORPHEUM — (1,900) (30c-44c) 7 days. Gross: $4,500. (Average, $5,000)
"Man at Large" (20th-Fox)
TOWER—(2,200) (30c-50c) 7 days. Stage: "George White's Scandals of 1941." Gross: $13,000. (Average, $6,000)
"Hot Spot" (20th-Fox)
UPTOWN—(2,000) (30c-44c) 8 days. Gross: $4,000. (Average, 8 days, $4,500)

Mexican Firm Starts First of Six Pictures

MEXICO CITY, Nov. 26.—Production has started on the first of a series of films by Mexico-España Films, S. A., new Mexican Company organized by Gen. Juan F. Azcarate, ex-chief of the Army Air Service, just before he left for Berlin, where he is Mexican Minister. The picture is "La Isla de la Pasion" ("Island of Passion") and concerns Clipperton Island, an islet in the Pacific that was a bone of contention between Mexico and France.

The film is to be released this Winter. It is the first of six that Mexico-España will make in the 1941-42 season.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 106 NEW YORK, U.S.A., FRIDAY, NOVEMBER 28, 1941 TEN CENTS

Boston Bans Garbo Film; Pa. Approves

Producer Ass'n Discusses Situation with Hays

Boston yesterday banned "Two-faced Woman," M-G-M's new Greta Garbo picture, following the example set by Providence, as criticism of the film arose in other quarters. The situation was a major topic at a meeting of the Association of Motion Picture Producers in Hollywood, attended by Will H. Hays and several company presidents.

City Censor John J. Spencer of Boston banned the picture after a private showing. He stated: "After giving careful consideration to the theme and content, I feel that the film is objectionable, and permission will

(Continued on page 4)

Agree to Appeals Ruling in K-B Case

Stipulations by all parties involved in the K-B Amusement Co. clearance complaint, agreeing to accept the National Appeals Board decision in the case without further action, were submitted yesterday, ending an incipient move by the complainant for reconsideration of the case by the appeals board.

The application for a reconsideration was the first to be made under

(Continued on page 5)

Metro Executives To Chicago Today

M-G-M's home office delegation will leave today for Chicago to attend the company's mid-season sales conference for district and branch managers at the Blackstone Hotel beginning tomorrow.

In the home office delegation are: T. J. Connors, Howard Dietz, E. K. O'Shea, Si Seadler, William Ferguson, E. W. Aaron, A. F. Cummings, M. L. Simons, Joel Bezahler, H. M. Richey, Harold Postman, Tyree Dillard, Art Schmidt, J. A. Gove, I. Hirsch, C. Deesen, W. Madden and I. Helfont.

William F. Rodgers, vice-president and general sales manager, will arrive in Chicago from the Coast tomorrow to conduct the meeting, which may continue into Monday.

Goldwyn Uncertain Of Future Release; Is Pleased with RKO

By SHERWIN A. KANE

While stating that he does not know what his future distribution arrangements will be, Samuel Goldwyn yesterday paid high tribute to the RKO sales organization on his arrival from the Coast.



Samuel Goldwyn

Goldwyn plans to remain in New York until the end of next week. He will not discuss future distribution arrangements while here, he said. His two-picture distribution deal with RKO will be fulfilled with the delivery to the company of his latest production, "Ball of Fire." The picture will be previewed at the RKO

(Continued on page 5)

20th-Fox Fights Use Of Film Title on Song

Declaring 20th Century-Fox is ready to make a test case of the "pernicious activity" of using the titles of popular pictures as titles of songs, Edwin P. Kilroe, copyright attorney for the company, has written the Lincoln Music Corp. concerning

(Continued on page 8)

OPM Asks Studios For Materials List

Hollywood, Nov. 27.—All producers have been asked to prepare inventories and a list of items they use which are on priority or may become so, for forwarding to the OPM Division of Civilian Supply for determination as to future orders. Studio executives have been informed of shortages and told to prepare lists for "balancing needs against what is available."

Warner Bros. Year's Profit Is $5,429,302

Warner Bros. Pictures, Inc., showed a net operating profit for the fiscal year ended Aug. 31 of $5,429,302, after all deductions, which is almost double the $2,747,472 for the previous year, Harry M. Warner, president, reported yesterday. Earnings were equivalent to $1.36 per common share, compared with 63 cents for the 1940 period.

Gross income, after elimination of inter-company transactions, was $102,293,170, compared with $100,337,092 the previous year. Write-offs of negative film costs again was accel-

(Continued on page 4)

Place Ceiling On Film Rental For Dominion

Expect Monday Will Be Effective Date

TORONTO, Nov. 27.—A ceiling has been placed on film rentals in Canada under the Dominion's price control law for wartime, trade officials here learned today.

Details of the regulation were not available immediately and it was not known late today at what level rentals have been frozen. There was considerable speculation in the trade as to whether the ceiling designated is the prevailing price level for films or some other standard, such as the prevailing rentals of a year ago or the average for a period of years.

Indications are that the trade will be formally advised of the regulations promptly, however, inasmuch as the orders establishing price ceilings generally in the Dominion is scheduled to become effective Dec. 1. It is believed that the order applying to film rentals is intended to be effective simultaneously.

The ceiling on admission prices set by the Canadian War Time Price and Trade Board several weeks ago was the maximum charged during the period from Sept. 15 to Oct. 11. A level has also been placed on wages.

CBS Seeks F.C.C. License For Commercial Television

By EDWARD GREIF

Despite the uncertainty of the immediate future of television, which will depend in large measure on the priority status given the new industry in Washington, CBS has applied for a commercial license from the FCC, Adrian Murphy, CBS executive director of television revealed yesterday.

CBS has been meeting all the requirements of a commercial permit since July 1 by operating on a regular 15-hour weekly schedule under a program test authorization and has not opened its programs to commercial sponsorship heretofore.

The network is in agreement with others in the industry that color tele-

(Continued on page 8)

Walker Toastmaster For Dinner to Silver

ALBANY, Nov. 27.—James J. Walker, former Mayor of New York, will be toastmaster at the testimonial dinner to be given for M. A. Silver by the newly organized local Variety Club at the Ten Eyck Hotel on Dec. 8.

A local committee making arrangements for the dinner includes: S. H. Fabian, chairman; Myer and Louis Schine, Mike Kallet and William Smalley.

Among those expected from New York are Joseph Bernhard, Harry Kalmine, Ben Kalmenson, Roy

(Continued on page 4)

B'way Grosses Big; 'Suspicion' Strong

Broadway's first runs scored impressive grosses this week, with the impetus of capacity business during the greater part of the Thanksgiving weekend. It was a smash week for two films, "Suspicion" at the Radio City Music Hall and "They Died With Their Boots On," at the Strand.

Reports from key cities in states celebrating Thanksgiving Day yester-

(Continued on page 5)

ITO Accepts Bid To Unity Meeting

The New York ITOA has accepted the invitation of the Allied States unity committee to attend the all-industry conference in Chicago on Dec. 9, it was disclosed yesterday following a meeting of the local group at the Hotel Astor. Harry Brandt, presi-

(Continued on page 4)

S.A. Films Give New Competition to U. S.

Films produced in Latin America today offer greater competition to Hollywood in Latin American countries than do German or French films, it was stated by Fred Lange of Paramount's foreign department, on his return yesterday from a trade survey in Central and South America. He said Mexican and Argentine pictures are increasingly popular. Theatre business is excellent in the territories he visited, he reported.

Grierson Gets Full Commissioner Post

MONTREAL, Nov. 27.—John Grierson has been appointed National Film Commissioner of Canada for three years, it was announced today by J. T. Thorson, Minister of War Services. Grierson had been acting commissioner, but now will devote all his time to the post as head of the National Film Board. It is expected that the Dominion's program of public information films promoting travel, commerce and the like will be carried on more extensively.

Personal Mention

L. R. GOLDING, Fabian division manager, and CHARLES SMAKWITZ, Warner Theatres executive in Albany, have been named production managers for the city's official Christmas celebration.

•

ROBERT GOLDSTEIN of WMCA is recovering from a tonsil operation at LeRoy Sanitarium.

•

GEORGE BUROW of the Guaranty Trust Co. has returned from the Coast.

•

FRANK KOVALETZ, manager of the Granada Theatre, Olyphant, Pa., recently became the father of a son.

DAVID ROSE, Paramount managing director for Great Britain, sailed from Lisbon yesterday and is due in New York about Dec. 6.

•

VAL LEWTON, story editor for DAVID O. SELZNICK, has left for the Coast after a New York visit.

•

RITA ANDRE arrived from London yesterday.

•

GILBERT KANOUR, film critic of the *Evening Sun*, Baltimore, is recovering from a broken ankle.

•

ALFRED HITCHCOCK is in town from from the Coast.

Knoepfle Reelected By Cincinnati Club

CINCINNATI, Nov. 27.—Rudy Knoepfle, Republic salesman, has been reelected president of the Cinema Club of Cincinnati, and Peter Niland succeeded himself as secretary and treasurer. Al Kolitz was named first vice-president, suceeding Marc Cummins, and Lef Bugie was chosen second vice-president, replacing Joseph McKnight. Trustees selected were: Irving Sochin, Milton Gurian, William Devaney, John Eifert, Ross Williams and McKnight. The installation dinner will be held Feb. 20.

First USO Camp Unit Opens in Alabama

The USO-Camp Shows circuit had its premiere last night with the opening of "Follow the Crowd" at Camp Claiborne, Alexandria, Ala. Tonight "Funzafire" will open at the Naval Air Station, Norfolk, Va. "Ada Leonard and her All-American Girl Revue" will bow tomorrow at Pine Camp, Watertown, N. Y., while "Beachcombers of 1942" will open at the same time at the Navy Yard, Bremerton, Wash. Four more shows will open next week on the circuit of 206 Army camps and Naval stations.

'Tobacco Road' Shuns Hammond on Threat

HAMMOND, Ind., Nov. 27.—Though armed with a Federal court restraining order to combat Mayor Frank Martin's threat to close "Tobacco Road" if obscenities were presented, the touring company packed up today and moved to St. Louis. The show was to have gone on tonight for six performances at the Paramount Theatre. Fear that the Mayor's protest would cause the show to play at a loss was given as the reason for the change in plans.

Sues WB on Bioff Money

Gertrude Pelham, who claims to own 100 shares of Warner Bros. common shares, sued yesterday in N. Y. Supreme Court, seeking an accounting of monies paid by the company to William Bioff and George E. Browne. This is one of several similar suits filed against the companies involved.

Lubin Host to Press

Arthur Lubin, director of "Keep 'Em Flying," Abbott and Costello picture, will be host today to the press at his Essex Hotel suite.

Tax, Labor Mexico Theatre Problems

MEXICO CITY, Nov. 27.—One of the most serious problems facing the operators of Mexico's 1,009 theatres is taxation, both in the amount of the impost and in its calculation. It is expected that early next year exhibitors will petition for a reduction in the tax rate and simplification of the method of calculation.

Labor expense is also a problem, but little can be done, it is believed, since labor organizations are particularly strong in the country. Some effort is being made by the Government to protect employers. The tax is 15 per cent of gross receipts for the Municipal Government and nine per cent of the remainder for the Federal Government. Payments, made daily, are computed on the basis of seating capacity. Thus, a 3,000-seat house charging 50 cents pays tax on $1,500 daily gross, whether that actually is attained or not. This sometimes results in an actual daily tax of 50 per cent, and on the average amounts to 25 to 35 per cent.

With the opening of the Cine Insurgentes, seating 4,000, and the reopening of the Cine Palacio, there are 69 houses operating in Mexico City.

2 Rochester Houses Ask Assessment Cut

ROCHESTER, Nov. 27.—A reduction of $300,000 is sought by the Rochester Palace Corp., operator of the Palace Theatre, in the $828,000 city assessment on the house. B. F. Keith Corp. and Moore-Wiggins Co., Ltd., owners of the Temple Theatre, seek a $119,700 reduction on a $469,700 assessment.

New Chicago Office Is Opened by RKO

CHICAGO, Nov. 27.—The formal opening of the new RKO exchange building here today attracted an estimated 500 persons, including film men and exhibitors, who visited the offices during the day. Representatives were present from the home office.

Foulk Joins Paramount

HOLLYWOOD, Nov. 27.—Robert Foulk, formerly with George Abbott and more recently dialogue director at Warners, will join Paramount Jan. 5 as assistant to William Meiklejohn, supervisor of talent and casting.

Newsreel Parade

A NUMBER of military subj are in the weekend issues, incl ing the arrival of U. S. arms in Mideast, the arming of merchant sh here, survivors of the "Reuben Jam in New York, and tank and parach demonstrations. The full contents

MOVIETONE NEWS, No. 24—U. S. supplies in Iran. Survivors of the "Reu James" in New York. Train wreck Mississippi. Netherlands Minister Lou talks in Washington. Gun crews trair ships armed. Parachute drills at Fort B ning, Ga. 20th Century-Fox basket team wins title. Horse race in Austra Monkey performs in Australia.

NEWS OF THE DAY, No. 222—"Reu James" survivors. U. S. supplies in I Vichy army chief buried. Manhatt opera season opens. Merchant ships ar here. Tank demonstration at Fort Le Wash. Fordham-St. Mary's, Giants-R skins football.

PARAMOUNT NEWS, No. 27—Am can plane supplies in R. A. F. dep U. S. arms unloaded in Iran; war mate en route to Russia. Opera season opens New York. Chilean president dies. N tanks at Fort Lewis, Wash. Paramo News picks "All-American" football te

RKO PATHE NEWS, No. 27—Milit supplies arrive in Iran. "Reuben Jam survivors in New York. RAF war stc in England. Train wreck in Mississi Navy arms U. S. merchant ships. Soldi in Hawaii have a party. Air cadets drill Randolph Field, Tex. Water skiing Miami. Metropolitan Opera opens r season.

UNIVERSAL NEWSREEL, No. 3 U. S. supplies in Mideast. Speed arming U. S. ships. "Reuben James" survivors New York. Confiscated guns crated h for England. Parachutists at Fort B ning, Ga. Tanks at Fort Lewis, Wa Mississippi train wreck. Girls and hats Seaside, Ore. Navy-Princeton, Fordha St. Mary's football.

Photophone Closes Florida Circuit De

RCA Photophone has closed a r newal deal with Florida State Th atres, Inc., for the servicing by RC of the circuit's 100 houses, accordi to W. L. Jones, RCA national servi manager. Negotiations were handl by Jack Dumestre, RCA Atlanta re resentative, and M. C. Talley, trea urer of the circuit.

Mrs. Mabel Bigelow Di

HOLLYWOOD, Nov. 27.—Mrs. Mab Cooper Bigelow, 36, mother of Jack Cooper, died early today following lingering illness.

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NEW YORK THEATRES

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CARY GRANT . JOAN FONTAINE
"SUSPICION"
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—Leonidoff's gay spectacular revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

CLAUDETTE COLBERT
RAY MILLAND
BRIAN AHERNE
in Paramount's
"SKYLARK"
IN PERSON
HARRY JAMES
AND BAND
Extra: RAY BOLGER
PARAMOUNT Times Square

BARBARA STANWYCK • HENRY FONDA
'YOU BELONG TO ME'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
'BAD MEN OF MISSOURI' | 'INTERNATIONAL SQUADRON'

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

HEY! YOU'RE IN THE ARMY NOW!



For your Xmas Sock...and whatta sock!





"YOU'RE IN THE ARMY NOW"
with
JIMMY DURANTE • PHIL SILVERS
JANE WYMAN
"NAVY BLUES SEXTETTE"
MATTY MALNECK AND HIS ORCHESTRA
Directed by LEWIS SEILER
Original Screen Play by Paul Gerard Smith and George Beatty



Maybe it isn't the funniest picture ever made...but we've never seen (or made) a funnier one!

Warner Bros.

Boston Bans Garbo Film; Pa. Approves

(*Continued from page* 1)

not be granted for any showing in the theatres of Boston."

Meanwhile, the Pennsylvania censor board approved the film, which opened at the Boyd, Philadelphia yesterday, but in a special message to the MPPDA asserted that it "looks with disapproval on this type of production." Commenting on the board's action, Mrs. Edna R. Carroll, chairman, remarked that "the situations in the film are more silly and impossible than fallacious, in the opinion of the board."

Yamins Bars Film

Nathan Yamins, former president of Allied States Association, said he would "make no attempt" to show the picture at any of his six Fall River, Mass., theatres because of the "C" rating given it by the Legion of Decency.

Bishop James E. Kearney of Rochester warned Catholics in his diocese against seeing the film, which is scheduled to open a week's run today at Loew's Rochester. His warning was contained in a letter to pastors which referred to the picture as "immoral, indecent and impudently suggestive."

In Providence, where opposition to the film was touched off by the action of police censors in refusing to license it because of the Legion of Decency rating, the Better Films Council of Rhode Island met to consider action in the situation yesterday, but made no public announcement.

Dietz Defends Picture

The *New York Times* today publishes a statement in which Howard Dietz, M-G-M advertising and publicity director, defends the picture. It follows:

"We have read Archbishop Spellman's statement. It is regretted that the Legion of Decency has seen fit to condemn this picture. It has always been our endeavor to produce quality motion pictures which will not offend good taste or decency. There is no exact science in the production of motion pictures. People do at various times differ as to the effect of a given line or scene, particularly in a picture such as this, which is a comedy and designed primarily to amuse.

"It is only fair to point out that the picture "Two-Faced Woman," was presented to the Motion Picture Production Code Authority and received an approval seal from that organization. It has likewise been presented to all state censorship boards and, with slight alterations in a few cases, had been passed by every one for public presentation. Also, the National Board of Review of Motion Pictures has classified the film as 'especially worth seeing and above the average.'"

In Hollywood, Hays said the "matter is under consideration" but declined comment on the situation at this time. M-G-M studio officials also declined to be quoted in any way.

It was learned that Hays had assembled data on the picture prior to the meeting of the Producers Ass'n. Members of the Production Code Administration hold to the belief that "Two-Faced Woman" was in conformity with the Production Code at the time of issuance of the Code certificate and denied that any complaints against the film have been received by the PCA.

Semi-official assurances were given following the Producers Ass'n meeting that no consideration was given the matter of appointing a successor to Joseph I. Breen as Code administrator.

. The situation attracted wide newspaper attention throughout the country. New York newspaper carried extensive news stories, prominently displayed. The *World-Telegram* yesterday had a six-column layout with stills from the picture.

The National Council on Freedom from Censorship, through Quincy Howe, president, in telegrams to Will H. Hays and Louis B. Mayer, M-G-M production chief, has offered its services "to fight the Providence ruling," which the council believes, "can be a spearhead for a drive on all films," according to a statement.

Film Industry Ranked 14th In Business Volume in '37

The motion picture industry ranked 14th in volume of business for 1937 and 11th in total assets among American industries, according to a compilation made by Dr. Leo C. Rosten, analyst, from recent Securities and Exchange Commission surveys of 18 leading industries.

The figures, however, do not include public utilities, railroads, communications, textiles, insurance companies, banks and some other industries. Had these been included, it was pointed out, the position of the motion picture industry would be proportionately lower on the list.

Rankings Listed

Dr. Rosten's industrial ranking by volume of 1937 business was as follows:

1.	Oil Refiners	$4,122,155,556
2.	Steel	2,847,988,476
3.	Meat Packing	2,719,084,404
4.	Automobiles (excluding Ford)	2,604,667,667
5.	Mail Order Houses	1,038,598,068
6.	Chain—Grocery, Food	1,028,195,100
7.	Department Stores	1,003,406,953
8.	Cigarette Manufacturers	938,922,674
9.	Chemicals and Fertilizers	934,084,497
10.	Tires and Rubber Products	784,723,113
11.	Chain—Variety	782,866,328
12.	Agricultural Machinery	598,196,252
13.	Containers and Closures	455,371,874
14.	**Motion Pictures** (includes theatre and distribution operations of majors, excluding United Artists)	**406,855,095**

Rank by total assets:

1.	Oil Refiners	$6,880,858,481
2.	Steel	4,181,765,978
3.	Chemicals and Fertilizers	1,688,231,343
4.	Automobiles	1,525,435,062
5.	Meat Packers	825,807,223
6.	Cigarette Manufacturers	734,231,460
7.	Tires and Rubber Products	724,271,752
8.	Agricultural Machinery	691,658,262
9.	Department Stores	662,421,723
10.	Mail Order Houses	544,720,716
11.	**Motion Pictures**	**520,950,444**

However, motion picture executives are paid, both as a percentage of the net profits and as a percentage of the total volume of sales, on a scale only second to the top. Figures are for 1937 also.

Executive remuneration as a percentage of net profits:

1.	Department Stores	32.10%
2.	**Motion Pictures**	**18.96%**
3.	Meat Packers	16.11%
4.	Chain—Groceries, Food	15.58%
5.	Cement	14.18%

The automobile industry is 18th on the list, paying 1.52% to the executives.

Executive remuneration as a percentage of total volume of sales:

1.	Cement	1.61%
2.	**Motion Pictures**	**1.59%**
3.	Office Machinery	1.22%
4.	Department Stores	.81%
5.	Chemicals and Fertilizers	.75%

In this classification the automobile industry ranks 16th with a payment of .14%. The meat packers rank 18th with a .11% figure.

'Spot,' Stage Show $16,000 in Capital

WASHINGTON, Nov. 27.—"Hot Spot" and a stage bill headlined by Joe Frisco took $16,000 at Loew's Capitol. Other grosses were fair.

Estimated receipts for the week ending Nov. 19:

"Nothing But the Truth" (Para.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $15,500. (Average, $15,000)
"It Started With Eve" (Univ.)
RKO-KEITH'S—(1,834) (40c-55c) 7 days, 2nd week. Gross: $8,500. (Average, $8,000)
"International Squadron" (W.B.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 6 days. On Stage: Wally Brown & Annette Ames, Stuart & Lea, Canestrellis, Lester Oman & Little People, Roxyettes. Gross: $13,300. (Average, $13,000)
"Hot Spot" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Joe Frisco, the Bricklayers, Naughty Marietta Operetta. Gross: $16,000. (Average, $15,500)
"The Maltese Falcon" (W.B.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 6 days, return engagement. Gross: $5,400. (Average, $3,500)
"Week-End in Havana" (20th-Fox)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,000. (Average, $3,500)

Sues Over Pathe Deal

Arthur W. Newell, who says he owns 200 shares of Pathe Film Corp. common stock, sued yesterday in N.Y. Supreme Court for the appointment of appraisers of his stock. He objects to the stock exchange between Pathe and E. I. duPont de Nemours & Co. and wants to be paid off in cash.

Para. Sued on Song

PHILADELPHIA, Nov. 27.—Dr. Clay A. Boland and S. Bickley Reichner have filed a $50,000 infringement suit against Paramount in Federal Court here, charging that their song, "Midnight on the Trail," was used as the theme song for "Dancing on a Dime."

Axler Joins Circuit

TORONTO, Nov. 27. — David Axler has resigned his sales post with United Artists here to become executive assistant to Jules Allen, head of Premier Theatres and Theatre Holding Corp. His appointment follows the recent resignation of Raymond S. Allen as supervisor of the Allen Circuit, Toronto.

Opens New Exchange

CINCINNATI, Nov. 27.—Mitchell Blachschlager, who recently resigned as booker at the local United Artists exchange, has formed Popular Pictures Co., to distribute independent product in Ohio, Kentucky and West Virginia.

Warner Bros. Year's Profit Is $5,429,30

(*Continued from page* 1)

erated by revision of the rates ba on 85 per cent for domestic inco and 15 for foreign. The applica of the new rates resulted in additio amortization charges of $206,469 t year.

Reserve for contingencies inclu $1,600,000 in respect of net assets foreign countries, of which $1,264,(was charged against operations.

The annual report recounts t Warner Bros. Picture, Ltd., a wh owned subsidiary, in August, p chased 2,007,000 ordinary shares Associated British Picture Co Ltd., about 25 per cent of the sha outstanding.

ABP owns or operates more tl 400 theatres in Great Britain, it said. The purchase price was £9(150, paid by Warner Bros. Pictu Ltd., with funds borrowed from English bank and guaranteed by parent company. It has been redu to £528,150 by payments made by British subsidiary during August

During the year, $600,000 of d entures were retired and $2,301,(of these debentures are now held the company treasury, it was state

Unpaid dividends on the prefer stock, payments on which were sumed March 1, amounted to $3,3 847, or $33.69 a share.

Walker Toastmaste For Dinner to Silv

(*Continued from page* 1)

Haines, Nate Blumberg, Hern Robbins, Tom Connors, Ned Depi George Schaefer, Sam Morris, W liam F. Rodgers, Neil Agnew, J Cohn, Joseph Vogel, Charles Ko ner, Joseph Moskowitz, John Der Gus Schaefer, Mort Blumensto Leonard Schlesinger, Herman Sta Herman Maier, Edward Alpers Charles Kurtzman, John O'Conn Fred Meyers and Frank McCarth

From Buffalo the following are pected: Sid Lehman, Kenneth Rob son, Max Roth, Sid Samson, Ra Maw, Philip Fox, Elmer Lux, Jo Scully, Charles Payman, Jack B man, Harry Berkson and Bert Stea

ITO Accepts Bid To Unity Meetin

(*Continued from page* 1)

dent, will be a delegate and oth from the organization may attend, was stated.

LOS ANGELES, Nov. 27.—The P cific Coast Conference of Independ Theatre Owners plans to push original 11-point trade practice p gram at the unity meeting in Chica it was announced here today. De gates are to be appointed.

Admit Service Men Fre

DES MOINES, Nov. 27,—Mr. a Mrs. John Loveridge, who recen bought the Casino Theatre here fr Abe Frankle, have adopted a poli of admitting all service men in u form without charge to all shows.

B'way Grosses Big As 'Suspicion' and 'Boots On' Set Pace

(Continued from page 1)

day indicated generally big holiday grosses.

For example, in Philadelphia throngs watching the annual Toyland parade and those coming in for Saturday's Army-Navy football game brought downtown theatres one of the best holidays in years. In Omaha, a huge street lighting program brought crowds downtown at night and business either equalled or exceeded last year's.

$105,000 for 'Suspicion'

Presented with a stage show, "Suspicion" drew an estimated $105,000 during its first week, ending Wednesday night. "They Died With Their Boots On" with Woody Herman's orchestra, also in its first week, brought an estimated $45,500. Both hold over.

"Shadow of the Thin Man" had a good initial week at the Capitol, grossing an estimated $27,000. The film began a second week yesterday. "How Green Was My Valley" rang up a strong fourth week at the Rivoli estimated at $30,400, better than the previous week, and continues.

"Swamp Water" finishes its second week at the Globe tonight with an estimated $8,500 expected and remains. "Week-End in Havana" fared well in its third week at the Roxy, taking an estimated $31,500. It was presented with a stage show.

'Soldier' in Fifth Week

"The Chocolate Soldier" finished its fourth week at the Astor with an estimated $9,500 and begins a fifth week today.

One hundred soldiers have been invited to attend the opening of Columbia's "You Belong to Me" at the Roxy tonight. As many girls have been invited, and the Army men are to match numbers with the girls in selecting their "blind" dates for the show. Afterward there will be a party at the Hotel Abbey.

'Eve' Minneapolis High Spot at $7,000

MINNEAPOLIS, Nov. 27.—"It Started With Eve" took $7,000 at the Orpheum and "Birth of the Blues" $6,500 at the Century in a week affected by unfavorable northern weather.

Estimated receipts for the week ending Nov. 21:

"It Started With Eve" (Univ.)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross: $7,000. (Average, $5,500)
"Badlands of Dakota" (Univ.)
GOPHER—(998) (28c) 7 days. Gross: $2,400. (Average, $2,500)
"Birth of the Blues" (Para.)
CENTURY—(1,600) (28c-39c-44c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)
"Unfinished Business" (Univ.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 3rd week. Gross: $2,000. (Average, $1,600)
"Smilin' Through" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $6,500. (Average, $6,000)
"Burma Convoy" (Univ.) 4 days.
"Secret of the Lone Wolf" (Col.) 4 days.
"Ellery Queen and the Murder Ring" (Col.) 3 days.
"Kid from Kansas" (Univ.) 3 days.
ASTER—(900) (17c-28c) 7 days. Gross: $2,000. (Average, $1,800)

Union Election Sunday

NEW HAVEN, Nov. 27.—Local 74 of the stage employes union has postponed its annual election of officers until Sunday.

Review

"Louisiana Purchase"

(Paramount)

THE musical comedy, "Louisiana Purchase," by Morrie Ryskind, with music by Irving Berlin, was a great hit on Broadway, and equally successful on tour. There is every reason to believe that the spectacular screen version by Paramount also should be a box-office winner of the first order.

The film has what it takes to score with the patrons, of all ages, in all places. It has spectacular settings, enhanced by Technicolor; cast names of high marquee caliber, beautiful girls, tuneful music, and a picture-load of comedy, most capably handled by two of the country's comedy experts.

The experts are Bob Hope and Victor Moore, the latter of the original stage version, and they will have any audience in a state between chuckles and guffaws most of the way. In support are Vera Zorina, who dances and sings, and with Hope, supplies the romance; Irene Bordoni, as the New Orleans restaurateur who helps Hope out of a jam, and Raymond Walburn, Maxie Rosenbloom, Frank Albertson and Donald McBride.

The yarn concerns the effort of Hope, unwitting dupe of crooked politicians, to frame Moore, U. S. Senator bent on investigating the city politicians, so that he will whitewash the crooks to protect his own political career. Miss Zorina is hired for the job, but when Moore promises to obtain passage for her mother from abroad, she double-crosses Hope and company. It all comes out for the best when Hope filibusters Moore's planned expose in the State legislature, and the latter gives up when he learns the real crooks have been apprehended and Hope is cleared. The New Orleans Mardi Gras forms an effective background for colorful costumes, songs and dances. Entertainment highlights of the film develop whenever either Hope, Moore or both are handling the comedy situations and the gags.

Running time, 98 minutes. "G."* CHARES S. AARONSON

*"G" denotes general classification.

Agree to Accept Appeal Decision In K-B Complaint

(Continued from page 1)

the industry arbitration system. It was made under Section 18 of the consent decree which permits the appeals board to reopen proceedings in any case within 10 days after a decision in order to correct "inadvertent errors."

James V. Hayes and Robert Sher, former assistants to the U. S. Attorney General in the drafting of the industry decree, are counsel for K-B Amusement Co. The latter operates the Apex Theatre, Washington, which brought a complaint seeking elimination of the clearance held by Warners' Uptown and Calvert. An award eliminating the clearance was made by Louis M. Denit, arbitrator, and Warners appealed. The appeals board ruled that although competition between the theatres involved was slight, it was sufficient to warrant some clearance over the Apex. Accordingly, the arbitrator was reversed and the clearance was set at a maximum of five days.

Preferred Time a Factor

In seeking reconsideration of the case by the appeals board, K-B Amusement Co. contended that the effect of the decision was nil, since the Uptown and Calvert normally change pictures on Wednesdays or Thursdays and, if the Apex were to follow them with a picture strong enough for the distributor to insist upon preferred playing time, the Apex would have to wait nine or 10 days, instead of five, in order to play the same picture on a weekend.

It was reported that an agreement providing a solution for this situation was reached by the parties involved and led to the stipulation waiving the right to a reconsideration of the case by the appeals board.

Indicate Settlement Of Maryland Case

WASHINGTON, Nov. 27.—Voluntary settlement of the clearance complaint of the Charles Theatre, La Plata, Md., against Loew's was indicated here today with the indefinite postponement of hearings scheduled to open. The complaint charged that the Marlboro, operated by Sidney Lust, has been granted unreasonable clearance.

Orders Chaplin Suit Quiz

Federal Judge John C. Knox here has ordered examination before trial of Charles Chaplin in Los Angeles on Dec. 18 in reference to the suit of Konrad Bercovici for more than $5,000,000 damages, involving alleged plagiarism. The order, made by stipulation, provides that Bercovici must also submit to examination.

WB Set 'Nymph' Leads

HOLLYWOOD, Nov. 27.—Warners have signed Charles Boyer and Joan Fontaine to co-star in "The Constant Nymph," the Margaret Kennedy novel and play. Edmund Goulding will direct. Walter Huston has been signed to support James Cagney in Warners' "Yankee Doodle Dandy."

Goldwyn Uncertain Of Future Release; Is Pleased with RKO

(Continued from page 1)

Theatre, New Rochelle, Monday night.

"RKO is doing a swell job with 'The Little Foxes,'" Goldwyn said. "I regard Ned Depinet as among the top distribution men in the industry and I am well pleased with my association with the company thus far.

"However," he continued, "I don't know what I'm going to do about distribution of my future pictures after 'Ball of Fire.' I am not negotiating with any distributor now and I see no need of doing so until I have another picture."

Plans Active Year

Goldwyn said his present production plans will make next year his "most active" in a long time. He plans to start the "Life of Lou Gehrig" in January; in March he will start "Treasure Chest," with Bob Hope, and in May or June he expects to start a William Wyler picture. In addition, Goldwyn said he would complete a production on the life of Hans Christian Andersen in collaboration with Walt Disney, adding that Gary Cooper would be in the production and that it would be about 70 per cent "live" action and 30 per cent animation by Disney.

Goldwyn also will have "Spitfire," being made in England in association with C. M. Woolf, which has David Niven and Leslie Howard in the cast, with Howard directing. This should be available here in February or March, the producer said.

Will Talk with Writers

Goldwyn, accompanied by Collier Young, his story editor, said he would see new Broadway plays and confer with writers during his stay here. Among the latter, he said, are Arthur Kober and Nat Perrin, who are doing the story for the Bob Hope picture.

Commenting on increasing production costs in Hollywood, Goldwyn observed that an independent producer today has to deliver a "hit" every time he makes a picture if he is to operate at a profit. He predicted the death of double features in the near future because of high production costs, which he believes will make secondary features too expensive. He predicted a revival for short subjects, as a result.

Three Firms Formed

ALBANY, Nov. 27.—Three companies have been formed and one dissolved, according to the Secretary of State. New firms are: Estates Theatres, Inc., New York, by Paul Raisler, William Billow and Edna Sharpe; Bridge Amusement Co., Inc., New York, by Benjamin N. Nathan, Sylvia Denmark and Gladys Barnett, and Empire Productions, Inc., by Robert Weemolsen, Arnold Gross and Janet Lovkov. Foreign Distributors Corp. has been dissolved.

Seattle Council Elects

SEATTLE, Nov. 27.—Officers for the 1942 period were elected here by the Greater Seattle Movie Council, Inc., organized a few weeks ago to "study, review and make recommendations on motion picture production." Heading the group is Mrs. Charles G. Miller.

SAN

LOOK WHO'S LAUGHING!



BIG CITY .. SMALL TOWN .. IT'S MOWING 'E

NCISCO'S *Laughing* with a terrific two weeks and a socko THIRD-WEEK HOLDOVER at the Golden Gate.

LOUISVILLE'S *Laughing* with the biggest single day's business in the history of the Strand..and a happy HOLDOVER!

BUFFALO'S *Laughing* with a HOLDOVER on top of an opening day that broke all records of the 20th Century Theatre!

OKLAHOMA CITY'S *Laughing* because of the tremendous first week's business that brought a HOLDOVER.

READING'S *Laughing* at the biggest business done by the house in months and months.

They're laughing in Glens Falls and Elmira, N.Y., where the picture did 50% better than the sock hit, "Kitty Foyle"... and in Gloversville, and Dunkirk, N. Y., where it also topped that top grosser . . . They're laughing with better-than-"Kitty Foyle"-business in Amarillo, Colorado Springs, Pueblo, Kokomo, Waterloo, and Springfield, Ohio . . . THEY'RE LAUGHING COAST TO COAST, because there are more openings and more holdovers this week and next as RKO's giant of laugh shows gets rolling everywhere!

EDGAR BERGEN and MOLLY

OWN

FIBBER McGEE CHARLIE McCARTHY

LUCILLE BALL

in

"Look Who's Laughing"

with

THE GREAT GILDERSLEEVE

Produced and Directed by

ALLAN DWAN

Story and Screen Play by James V. Kern

RKO RADIO PICTURES

FM Station of CBS Will Start Monday

The CBS FM station here, W67NY, will start its broadcast schedule Monday at 3 P. M. and will be on the air for six hours Monday through Saturday thereafter. Transmission hours will be 3-6 P. M. and 7-10 P. M. Programs will be carried by high fidelity wires from a studio in the CBS building at 485 Madison Ave. to the FM transmitter at 500 Fifth Ave.

The daily schedule will be: 3:00 News; 3:15, pop concert; 3:45, choral music; 4:00, symphonic hour with Edward Downes as commentator; 5:00, operetta music; 5:15, song recital; 5:30, organ vespers; 5:45, news; 6:00, signoff. At 7:00, news; 7:05, classical melodies; 7:15, chamber music; 7:45, operetta music; 8:00, symphonic hour; 9:00, song recital; 9:15, fireside music; 9:45 news, and 10:00, signoff.

W67C, the CBS FM station in Chicago, fourth in that city, is also on the air now and is heard 3-9 P.M. daily.

With the grant of a construction permit to Hughes Productions for K49LA, Los Angeles, the FCC has authorized 61 commercial FM stations. Of these, 21 are on the air. Fifty applications are pending.

Hookup of FM for WOR Outlet's Start

The largest hookup of FM stations to date—a total of seven—will be linked to form a network Sunday on the occasion of the dedication of the 10,000-watt transmitter of W71NY, the WOR station. The six out-of-town stations will be W2XMN, Alpine, N. J.; W65H, Hartford, Conn.; W43B, W39B, Boston; W53PH, Philadelphia, and W47A, Schenectady.

Canadian Radio Set Output Is Hard Hit

MONTREAL, Nov. 27.—War demands on the radio industry will make it difficult to supply even the reduced number of private sets allowed by the new curb on radio production, E. C. Grimley, president of the Radio Manufacturers Association of Canada, has revealed. Grimley stressed the industry's desire to give all-out cooperation to the Government in supplying radio communication equipment to the troops.

In view of the scarcity of materials and rising demands for war equipment, he said, it is very doubtful if manufacturers could produce the quantity of home receivers actually permitted by the control board. To offset this prospective shortage every effort is being made to maintain service organizations to keep present sets in good working order, he added.

It is reported unofficially here that the Quebec Municipal Control Commission, in charge of Montreal finances, may abolish the present local city tax of $2.16 on each radio receiving set in the city. Set-owners would continue to pay the Federal radio license fee of $2.50 a year.

CBS School Group Meets

The United States committee of the CBS "School of the Air of the Americas" will meet today to consider plans for 1942.

Off the Antenna

THIS weekend will see the busiest four days of growth in the history of New York stations. WHN will lead the parade tonight with an increase to 50,000 watts and formal dedication Monday. WNEW will double its power Sunday night to 10,000 watts and makes itself eligible for 50,000 by shifting to the WOV channel, while WOV will drop from 10,000 to 5,000 watts by taking over the WNEW frequency. WMCA at 8 A.M. Monday will broadcast the first of hourly news bulletins furnished by the *New York Times*. WOR's FM station, W71NY, will boost its power to 10,000 watts Sunday. W67NY, the CBS FM outlet, will take to the air with a regular schedule Monday at 3 P.M.

• • •

Purely Personal: *Fred Waring, who has not made recordings for* 10 *years, signed a contract with Decca Records yesterday. . . . John M. Carney has joined the CBS program service department. . . . H. M. Beville, head of NBC research, has been elected vice-president of the N. Y. chapter of the American Marketing Association.*

• • •

NBC television this week started a series to explain how television receivers should be operated for maximum efficiency. DuMont officials were gratified that not only the RCA receiver was demonstrated but the DuMont set as well.

• • •

The first board of directors and stockholders' meeting for Mutual since stock holdings were distributed among the additional stations will be held at the Drake Hotel, Chicago, Monday and Tuesday.

• • •

Program News: *Feenamint has renewed "Double or Nothing" over more than* 100 *Mutual stations for* 13 *weeks' effective Dec.* 28. . . . *"What's My Name?" quiz show with Arlene Francis and John Reed King, will return to Mutual Jan.* 6 *over* 82 *stations, sponsored by Fleischman's Yeast. . . . WNEW will cary the annual benefit ball of Musicians Local* 802 *from* 9 *P.M. to* 4 *A.M. Tuesday with Martin Block as master of ceremonies.*

CBS Seeks F.C.C. License For Commercial Television

(*Continued from page* 1)

vision not be standardized at this time although it still believes that color, eventually, may give the needed "fillip" to put television across to the public, Murphy said. When the FCC set standards this year, it was done with the proviso that the question of standardizing color would be re-examined Jan. 1. Since mid-July CBS has been telecasting experimentally in color one hour daily, Monday through Friday, mostly with test patterns and charts, and has totaled about 125 hours of transmission. However, since no manufacturer undertook to make color receivers, and television generally was hampered by the priorities situation, the network is of the opinion that not enough data has been collected at this time to make the fixing of color standards feasible.

Building for Expansion

CBS television has played its part in national defense by televising all programs made available by Governmetn agencies. Asked to explain his reaction toward the first five months of regular operation, Murphy responded that CBS "has been building toward the time when television will be able to expand freely. We are tremendously pleased by the progress we have made, without being cocky that we know it all now. There is still a great deal to be learned. Commercial possibilities at this time are small—later, they will be great. No one can say when that day will be."

"We have confirmed our belief that the informal, unstilted approach to programing has great possibilities," Murphy continued. "Interesting people are interesting on television to a greater degree than in other entertainment media. One of our greatest finds has been that the television camera can be fluid and can pick up almost everything in a studio. We have been handicapped by the lack of remote pickup equipment, which has been promised for almost any day now, but it may have been a blessing in disguise. We have been forced to originate the entire 15 hours in the studio and, although it has been a burden, we have learned a lot while doing it. We have maintained the program pattern substantially the same as it started last July but have considerably improved our technique within that pattern."

Murphy believes that the Metropolitan Museum of Art programs have the makings of a revolution in the teaching of art, just as radio taught millions to appreciate classical music.

Three New Stations Authorized by FCC

WASHINGTON, Nov. 27.—Construction of three new stations has been authorized by the FCC, which granted permits to the Bartlesville Broadcasting Co., Bartlesville, Okla., and the Brainerd-Bemidji Broadcasting Co., Brainerd, Minn., for 1,400-kilocycle, 250-watt stations in those cities, and to Hughes Productions, Los Angeles, for a 44,900-kilocycle FM station.

Toscanini on NBC To Aid Bond Sale

Arturo Toscanini will return to lead the NBC Symphony Orchestra for two concerts to aid the sale of defense bonds. The programs, which will be known as "Toscanini Treasury Concerts," will be heard Saturdays, instead of Tuesdays, the regular night for NBC Symphony. The time for the broadcasts are Dec. 6 and 13, 9:30-10:30 P.M., over NBC-Blue.

20th-Fox Fights Use Of Film Title on Song

(*Continued from page* 1)

the song, "How Green Was My Valley." Kilroe's letter follows:

"Demand is herewith made upon you by Twentieth Century-Fox Film Corp.:

No Permission Given

"1. To cease immediately from stating that the song, 'How Green Was My Valley,' lyrics by Benny Davis, music by Abner Silver, has been officially accepted by 20th Century-Fox Pictures and Richard Llewellyn, the author of the book. This is contrary to the facts. Twentieth Century-Fox Film Corp. has not granted you permission to use the phrase 'How Gren Was My Valley' as the title of a song, nor has it granted you permission to tie in your song in the exploitation of our picture, nor has permission been granted by Richard Llewellyn, the author of the novel 'How Green Was My Valley,' to use the title of his novel as the title of a song.

"2. To cease from making any reference to our picture 'How Green Was My Valley' in the exploitation of your song.

"3. To discontinue immediately the use of the phrase 'How Green Was My Valley' as the title of your song.

"4. To discontinue immediately the statement in the exploitation of your song that it was published by special arrangement with the author, Richard Llewellyn, and inspired by the 20th Century-Fox production, 'How Green Was My Valley.'

Demands Still Return

"You are requested to return immediately to 20th Century-Fox Film Corp. the still from our picture 'How Green Was My Valley' which came into your hands some time ago and you are further requested not to use the said still in any way in the exploitation of your song. If you have used the still as part of the cover design of your song, all copies of your song containing this still should be destroyed immediately."

Music Fee Increase Opposed in Canada

TORONTO, Nov. 27.—The Musical Protective Association of Canada has launched a fight against the proposals by the Canadian Performing Rights Society, Ltd., and Canadian BMI, Ltd., for substantial increases in the license fees for 1942 to the broadcasting stations, including the Canadian Government chain, notice having been given to the Copyright Appeal Board of the intention to revise the schedule upward.

The Protective Association has reorganized for the opposition to be presented before the Board in December and the following are among the officers; President, E. L. Hughes, general manager of the Canadian National Exhibition, Toronto; chairman of the board, T. J. Bragg, of Odeon Theatres of Canada; vice-president, Col. John A. Cooper, of the Canadian Moving Picture Distributors Association; J. N. Thivierge, director representing the Canadian Association of Broadcasters; Jack Connell of the Hotel Association of Ontario, and T. G. Dalglish, secretary.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 107 NEW YORK, U. S. A., MONDAY, DECEMBER 1, 1941 TEN CENTS

DO NOT REMOVE

Producers to Get Allocation On Materials

Committee Will Supply Individual Studios

By BERTRAM F. LINZ

WASHINGTON, Nov. 30.—Motion picture producers next year will be given specific quantities of steel and other restricted commodities as one of the many industries using such products, with the allocations to individual companies probably to be worked out by an industry committee, under an allocations system gradually being adopted by the Office of Production Management to replace priorities.

Under the allocations system, producers will be able to plan continuous production schedules in 1942 for at least three months ahead and possibly twice that length of time, and will

(Continued on page 13)

Moskowitz, Brandt To 'Dimes' Meeting

Charles C. Moskowitz, Loew's Theatres executive, and Harry Brandt, head of the Brandt circuit, who are co-chairmen of the Motion Picture Committee of the 1942 March of Dimes campaign, and Oscar A. Doob, Loew's Theatres advertising and publicity director, who is national chairman of publicity for the campaign

(Continued on page 13)

Executive Salaries Frozen in Canada

Ottawa, Nov. 30.—Finance Minister J. L. Ilsey has announced that all managerial and executive salaries have been frozen at the rate established on Nov. 7. The order applies to all employes above the rank of foreman or a comparable post.

Some salary increases will be allowed but will require approval of the Minister of National Revenue if they would bring the total salary above $7,500. Cost-of-living bonuses are prohibited to all earning more than $3,000 a year.

Opposition to Garbo Film Grows; Church Leaders in Protest

Further opposition to the exhibition of "Two-Faced Woman," M-G-M's new Greta Garbo picture, was voiced over the weekend.

Archbishop John J. Glennon of St. Louis advised Catholic pastors in that strong Catholic community to warn parishioners that the film had been placed in the condemned classification of the National Legion of Decency and to "unite in protesting against the showing of the picture."

In Hartford, Conn., Roman Catholic Bishop Maurice F. McAuliffe placed "Two-Faced Woman" on the church's "forbidden" list and notified all pastors in the Connecticut diocese to urge their parishioners to boycott the film.

Rex Williams, manager of Loew's in St. Louis, said that the picture will

(Continued on page 10)

RCA to Form New Firm for Blue Net

RCA shortly will set up a separate and wholly owned subsidiary corporation to control the Blue Network, leaving the National Broadcasting Company to operate the Red Network alone, it was reported over the weekend.

The purpose of the move, it was said, is to facilitate the sale of the Blue Network, as required by an order of the FCC, enforcement of which order has been suspended indefinitely

(Continued on page 12)

Ampa Would Send Unity Meet Delegate

Permission to send an Ampa representative to the Allied States-sponsored all-industry unity meeting in Chicago, Dec. 9, has been asked of Abram F. Myers, Allied chairman and general counsel, by Vincent Trotta, Ampa president.

The request points out that since one of the major objectives of the unity effort is the improvement of the industry's public relations, the organization of advertising and publicity men should have a representative at the meeting.

Arbitration Cases Drop To 9 in Nov.

Only nine arbitration complaints were filed in the industry boards during the month of November, the smallest number for any month since the boards were inaugurated last Feb. 1.

The nine November complaints compare with an average of 16 new cases per month for the preceding nine months of the boards' operations. It brings the total for the 10 months of operations to 147 complaints.

Last month's new cases included

(Continued on page 10)

Gov't Weighs Priority for 25,000 Television Receivers

By EDWARD GREIF

Government priorities officials are considering aid to television during the emergency by granting manufacturers priorities on supplies to build 25,000 receivers and 10 television transmitters during 1942, it was learned over the weekend.

Mortimer W. Loewi, executive vice-president of DuMont, declared that "I am more optimistic about the immediate future of television than I have been for some time. All we need is a little Government backing to restore the public's confidence."

Loewi, who has made several trips to Washington in an effort to obtain

(Continued on page 12)

Ascap Membership Meets Here Today

Ascap's first general membership meeting since the close of the radio-music "war" will be held at the Astor Hotel today and, according to forecasts, may result in a spirited airing of grievances and criticism of administrative action.

The only formal business before the meeting will be ratification of by-laws changes of a minor nature, one of which will provide for semi-annual meetings for Ascap members on the Coast. Discussion from the floor is expected to occupy most of the session.

O'Shea Eastern M-G-M Head, Flynn Central

Rodgers Reveals Changes At Chicago Meeting

CHICAGO, Nov. 30.—William F. Rodgers, vice-president and general sales manager of M-G-M, today announced the appointment of E. K. O'Shea as Eastern division manager and John E. Flynn as Central division manager.

The realignment follows the resignation of Thomas J. Connors, Eastern, Southern and Canadian sales manager, to join 20th Century-Fox as assistant to Sidney R. Kent, president.

O'Shea has been Central sales manager, and will be succeeded by Flynn in that post. Flynn has been district manager with headquarters in Chicago.

Rodgers announced the changes at the company's mid-season sales meeting of district and branch managers at the Blackstone Hotel here.

Crescent Decision Seen Before Xmas

Federal Judge Elmer Davies has indicated to counsel in the Government's anti-trust suit against the Crescent circuit, United Artists and Universal that he will hand down his decision in the case in U. S. District Court at Nashville before Christmas, it was learned here over the weekend.

Final arguments and rebuttal will be entered in Nashville Federal court today and are expected to be concluded some time tomorrow. Columbia

(Continued on page 10)

Paramount Partners To Meet in Chicago

A meeting of Paramount's Northern and Western theatre partners will be held in Chicago Wednesday with Leonard Goldenson, head of theatre operations, presiding.

Operating problems and product will be discussed. Among those scheduled to attend the meeting are: Sam Dembow and Leon Netter, home office executives; John Nolan and J. J. O'Leary of the Comerford Circuit; Sam Pinanski, Harry Nace, Earl Hudson, John Balaban, Walter Immerman, Tracy Barham, Harry David, M. A. Lightman, A. H. Blank, Ralph Branton, J. J. Friedl and Jules Rubens.

Olsen and Johnson Show Opens Tonight

Olsen and Johnson come to town tonight in another comedy with music, "Sons O' Fun," which will be presented at the Winter Garden. The show has Carmen Miranda and Ella Logan in featured roles. Their "Hellzappopin'" is still running, in its fourth year, now at the Majestic.

Legion Approves 10 of 12 New Films

The National Legion of Decency for the current week has approved 10 of 12 pictures reviewed, five for general patronage and five for adults, and classified one as objectionable in part. Another was separately classified. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage — "Fighting Bill Fargo," "Marry the Boss's Daughter," "Secrets of the Lone Wolf," "Stage Coach Buckaroo," "Underground Rustlers." Class A-2, Unobjectionable for Adults—"Double Trouble," "H. M. Pulham, Esq.," "Keep 'Em Flying," "Miss Polly," "The Perfect Snob." Class B, Objectionable in Part—"Escort Girl."

"The Forgotten Village" has been placed in a separate classification, with the notation that the film contains "several short scenes deemed improper for the entertainment screen."

Para. Union to Join Screen Office Guild

The Paramount Employes Association, an independent office workers' union, has voted to join the Screen Office & Professional Employes Guild, Local 109, CIO, it was announced Friday.

It is the seventh independent group to become affiliated with the SOPEG. Others were Loew's-M-G-M, Columbia, RKO, 20th Century-Fox and National Screen Service, all office workers' unions, and the Screen Readers Guild.

Roxy Year Net $36,934

Roxy Theatre, Inc., has reported net income of $36,934 for the 52 weeks ended last Aug. 28. This compares with a net loss of $42,289 for the previous 52 weeks.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*

GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center, CO. 5-5474
Eves. except Mon. Mats., Sun., Wed. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

EDWARD C. RAFTERY, United Artists president, will go to the Coast from Nashville tomorrow. GRADWELL SEARS, vice-president and distribution head, and ARTHUR W. KELLY, vice-president, arrive on the Coast today.

•

RUBE JACKTER has returned from Memphis.

•

SID RECHETNIK has left for a two-week Carribbean cruise.

•

CAPT. N. L. MOWER, formerly with Altec Service, is taking command of the 122nd Intelligence Company at Fort Sam Houston, San Antonio.

JAMES A. MULVEY, Eastern representative and vice-president of Samuel Goldwyn, Inc., is expected back Wednesday from Florida, where he went following an appendectomy.

•

NICHOLAS M. SCHENCK, president of Loew's, is due today from the Coast.

•

CHARLES SKOURAS is here from the Coast.

•

NORTON V. RITCHEY, Monogram vice-president in charge of foreign distribution, is now in Cuba after touring South America.

Set Hollywood Stage Show on USO Circuit

Edward Arnold, president of the Screen Actors Guild and vice-president of the USO-Camp Shows, Inc., has announced through the organization that a Fanchon & Marco stage show is being produced in Hollywood as one of the first contributions to the entertainment program for the Army and Navy.

Harry Delmar, general production manager for USO-Camp Shows, Inc., left New York over the weekend for meetings with commanding officers in all corps areas concerning the performances to be given on the two circuits of camp shows. He will visit Atlanta, Chicago, Omaha, San Antonio and San Francisco.

Coast SPG Supports N. Y. Group's Drive

The Screen Publicists Guild of Hollywood, in a telegram made public here Friday, declared that it was "heartily in accord" with efforts of the SPG here to obtain a contract. The wire was from Lesley Mason, president of the Coast unit, to Joseph Gould, head of the Eastern group.

The New York Guild at a meeting late Thursday night voted "full approval and support to a complete campaign of action" for resumption of negotiations but no details of the "campaign" was disclosed.

Lasky to Be Guest At Twain Celebration

HOLLYWOOD, Nov. 30.—Jesse L. Lasky, who will produce "The Adventures of Mark Twain" for Warners, has left for Hannibal, Mo., where he will be guest of honor tomorrow at the annual Mark Twain celebration in observance of the famous author's birthday. Lasky will be heard on a broadcast from here over Mutual starting at 5 P. M. EST tomorrow.

Preview 'U' Air Short

"Cavalcade of Aviation," Universal short subject, will be previewed Dec. 11 at a luncheon given by the Banshees to Capt. Eddie Rickenbacker. Following that the subject will open in Dallas and Dayton, home of the Wright Brothers.

Warners Sign Massey

HOLLYWOOD, Nov. 30.—Warners have signed Raymond Massey to a contract calling for three pictures a year.

Hold Fete Tonight For Loew-Poli Men

NEW HAVEN, Nov. 30.—Nat Rubin, new manager of the Lyric, Bridgeport, and Frank Manente, new assistant at the Globe there, will be guests of honor at a testimonial dinner-dance tomorrow evening at the Seven Gables Inn. Both formerly were at the Loew-Poli here.

Morris Mendlesohn, Loew-Poli attorney here, will be toastmaster and greetings will be presented by Harry F. Shaw, Loew-Poli division manager, Lou Brown, Loew-Poli publicity chief, and Robert E. Russell, manager of the Poli, New Haven, and chairman of the dinner.

Trade Contributes $15,000 to RAF Fund

The Royal Air Force Benevolent Fund of the U. S. A., Inc., has received a contribution of $15,000 from the film industry through the MPPDA. In a letter accompanying the contribution, Will H. Hays, MPPDA president, explained that the money represents a portion of the proceeds from the distribution of the film, "Land of Liberty." Recently a sum of money from the same source was contributed to the Roll Call of the American Red Cross.

Producer Group in Britain Invites U. S.

LONDON, Nov. 30.—American organizations producing in England will be invited to join the newly constituted British Film Producers Association.

The association, after recent meetings, has drawn up a new constitution on a wider basis and will endeavor to include all active companies, it is understood.

March's Father Dies

Fredric March and his wife, Florence Eldridge, appearing on the Broadway stage in "Hope for a Harvest," it is reported will fly to Racine, Wis., this week for the funeral of March's father, John F. Bickel, 82, who died in Centralia, Wash., on Friday.

Raymond Hester Dead

BIRMINGHAM, Ala., Nov. 30.—Raymond Hester, 48, manager of the Municipal Auditorium here and widely known in the theatre business, died suddenly here. His widow, his mother and a brother, Douglas, survive.

Prices in Milwaukee Continue to Increase

MILWAUKEE, Nov. 30.—Local the atre admissions continue to show gen eral increases with Fox discarding th 33-cent early bird price to 1 P. M. a the Wisconsin and Palace in favor c 44 cents, formerly the admission afte 1 P. M. The evening price after P. M. remains at 55 cents.

The Warner has boosted its forn 27-cent price before 1 P. M. to cents, to make the total 33 cents wi tax. After 1 P. M. the price is no 44 cents and after 6 P. M., 55 cents including tax.

An increasing number of neighbor hood theatres also are raising thei admissions as much as seven cents t provide a figure which will eliminat handling of pennies after the tax ha been added. Neighborhood houses, too have advanced the time for the Sun day matinee early bird admissio deadline from 4 and 5 P. M. to P. M.

Barrist Buys Two Houses for Circui

PHILADELPHIA, Nov. 30. — Davi Barrist, operator of the local Ritz an Mayfair theatres here, who previ ously announced he would set up a independent circuit, has completed hi plans with the purchase of the Majes tic and Criterion theatres in Bridge ton, N. J.

Barrist bought the houses and th commercial properties connected wit them from the Linker family. Th houses have been operated by ther for the past 22 years. The Airpor here acquired last month by Barrist i being remodeled. His circuit will b known as the Materian Theatre Corp.

Church Elevates Rossi

Ercole J. Rossi, named a Righ Reverend Monsignor by order of th Vatican, is the uncle of Columbi Sileo, wife of Jimmy Sileo, theatrica photographer. Relatives and friend gave him a banquet last night at th Knights of Columbus. His investitur took place at St. Patrick's Old Cathe dral on Mott Street.

Drops Shows in Dayton

DAYTON, O., Nov. 30.—The RK Colonial here has temporarily discon tinued stage shows, but plans to re sume its combination policy Dec. 26.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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Girls,' Show Boston High, Pull $21,500

BOSTON, Nov. 30. — "Three Girls About Town" with the "Hollywood Sweater Girl Revue" on the stage of the Keith Boston, drew a strong $21,-500, for the best comparative gross.

Estimated receipts for the week ending Nov. 19-20:

"Three Girls About Town" (Col.)
KEITH BOSTON—(2,697) (30c-40c-44c-55c-65c) 7 days. Vaudeville, including the "Hollywood Sweater Girl Revue." Gross: $21,500. (Average, $8,000)
"It Started With Eve" (Univ.)
"Man at Large" (20th-Fox)
KEITH MEMORIAL—(2,907) (30c-40c-44c-55c) 7 days, 2nd week. Gross: $12,900. (Average, $16,000)
"Dr. Kildare's Wedding Day" (M-G-M)
METROPOLITAN—(4,367) (28c-30c-40c-44c-55c) 7 days. Vaudeville, including Xavier Cugat and his orchestra. Gross: $24,-000. (Average, $15,500)
"Week-End in Havana" (20th-Fox)
"Great Guns" (20th-Fox)
PARAMOUNT—(1,797) (28c-30c-40c-44c-55c) 7 days, 2nd run. Gross: $9,300. (Average, $7,500)
"Week-End in Havana" (20th-Fox)
"Great Guns" (20th-Fox)
FENWAY—(1,320) (28c-30c-40c-44c-55c) 7 days, 2nd run. Gross: $4,600. (Average, $4,500)
"International Squadron" (W. B.)
"Unfinished Business" (Univ.)
SCOLLAY—(2,500) (28c-30c-40c-44c-55c) 7 days, 3rd run. Gross: $3,100. (Average, $4,000)
"The Feminine Touch" (M-G-M)
"Ladies in Retirement" (Col.)
LOEW'S STATE—(3,000) (30c-40c-44c-55c) 7 days. Gross: $12,800. (Average, $12,-000)
"The Feminine Touch" (M-G-M)
"Ladies in Retirement" (Col.)
LOEW'S ORPHEUM—(2,900) (30c-40c-44c-55c) 7 days. Gross: $16,200. (Average, $17,500)

'Soldier' Good for $7,300 Cincinnati

CINCINNATI, Nov. 30.—"The Chocolate Soldier" registered $7,300 at the RKO Grand, while "Shadow of the Thin Man" grossed $13,500 at the RKO Albee. "Sergeant York" continued strong in its ninth week at the RKO Capitol with $5,300.

Estimated receipts for the week ending Nov. 26-29:

"Shadow of the Thin Man" (M-G-M)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $13,500. (Average, $12,000)
"Suspicion" (RKO)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $10,000)
"Henry Aldrich for President" (Para.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Stage: "Boone County Jamboree." Gross: $11,500. (Average, $12,000)
"Sergeant York" (W. B.)
RKO CAPITOL — (2,000) (40c-50c-60c) 7 days, 9th week. Gross: $5,300. Average, at 33c-40c-50c, $5,500)
"The Chocolate Soldier" (M-G-M)
RKO GRAND — (1,500) (33c-40c-50c) 7 days. Gross: $7,300. (Average, $5,000)
"Never Give a Sucker an Even Break" (Univ).
"Burma Convoy" (Para.)
RKO LYRIC—(1,400) (28c-40c) 7 days. Gross: $3,600. (Average, $4,500)
"I Killed That Man" (Mono.)
"Let's Go Collegiate" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,150. (Average, $1,200)
"World Premiere" (Para.)
"Secrets of the Lone Wolf" (Col.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)
"Birth of the Blues" (Para.)
KEITH'S — (1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,200. (Average, $5,000)

Extend Bennett Pact

HOLLYWOOD, Nov. 30. — Twentieth Century-Fox has extended the contract of Joan Bennett, holding her for two more pictures.

Reviews

"Tuxedo Junction"

(Republic)

THIS is the type of film with which Republic attained its position in the industry, a modest production, but developed so completely that it affords a fund of entertainment for the theatre audiences for which it is designed. It is commendable work.

Armand Schaefer and Frank McDonald guided the production as associate producer and director, respectively. The cast includes the Weaver family, Frankie Darro, Thurston Hall, Sally Payne and others.

It is a light drama concerning a group of wandering boys befriended by a farmer and his family and their clashes with a wealthy neighbor, bubbling over with civic pride. The situation finally is straightened out nicely when the youngsters bring prominence to the town of Glenvale by winning the Tournament of Roses float competition. The film bears relation to the song of the title only in that it is played and sung by the cast members briefly.

Running time, 71 minutes. "G."* EUGENE ARNEEL

"Laburnum Grove"

(Anglo Films)

THE play by J. B. Priestley, "Laburnum Grove," has been transplanted to the screen with Basil Dean as producer and Carol Reed as director. These two able Englishmen, skillfully aided by a pair of brilliant English actors, Sir Cedric Hardwicke and Edmund Gwenn, have fashioned a picture in the clever image of the Priestley play, but it is strictly "English," and appears to have limited appeal for American audiences.

It is too much a play and not enough a "moving" picture for average American audience enjoyment, despite the fact that it is performed with rare skill by the two stars. The supporting cast is unfortunately weak, not approaching the stature of the two leaders.

The picture tells the amusingly satirical story of the respectable businessman and suburbanite, who frightens a couple of sponging in-laws and an unworthy suitor for his daughter's hand with tales of counterfeiting, and a gang of crooks of which he is a member. They believe him, and are terrified, then as their true colors are revealed, they learn it is a hoax, and leave the scene. An extremely clever denouement discloses that he really was telling the truth, and is in fact a crook. His verbal sparring with a Scotland Yard detective is the film's highlight.

Running time, 64 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

'Boots' Scores Big $11,900, Milwaukee

MILWAUKEE, Nov. 30.—"They Died With Their Boots On" and "All-All-American Co-Ed" scored a strong $11,900 at the Warner. At the Riverside, "I'll Wait for You" and "Earl Carroll's Vanities" on the stage took $14,800.

Estimated receipts for the week ending Nov. 26-27:

"Lady Be Good" (M-G-M)
"Unholy Partners" (M-G-M)
PALACE—(2,400) (44c-55c) 7 days. Gross: $5,200. (Average, $4,000)
"Week-End in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
STRAND—(1,400) (44c-65c) 7 days. Gross: $1,700. (Average, $1,500)
"I Wake Up Screaming" (20th-Fox)
"Moon Over Her Shoulder" (20th-Fox)
WISCONSIN—(3,200) (44c-55c) 7 days. Gross: $7,700. (Average, $5,500)
"I'll Wait for You" (M-G-M)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: "Earl Carroll's Vanities." Gross: $14,800. (Average, $6,500)
"They Died With Their Boots On" (W.B.)
"All-American Co-Ed" (U. A.)
WARNER—(2,400) (33c-44c-55c) 8 days. Gross: $11,900. (Average, $4,500)

Singer S. F. Ad Manager

SAN FRANCISCO, Nov. 30. — Lou Singer, treasurer at the Paramount Theatre here, has been promoted to advertising manager to succeed David Richards, who resigned to study law.

'Blues' Pulls $9,000 Gross in New Haven

NEW HAVEN, Nov. 30.—"Birth of the Blues," dualled with "Henry Aldrich for President" at the Paramount grossed $9,000 in eight days plus a midnight show Thanksgiving Eve. "They Died With Their Boots On" took $8,900 on a single feature program at the Roger Sherman.

Estimated receipts for the week ending Nov. 27:

"Week-End in Havana" (20th-Fox)
"Great Guns" (20th-Fox)
COLLEGE—(1,627) (40c-50c) 7 days, 2nd week. Gross: $3,500. (Average, $2,700)
"Shadow of the Thin Man" (M-G-M)
"Two Latins from Manhattan" (Col.)
LOEW-POLI — (3,005) (40c-50c) 7 days. Gross: $10,200. (Average, $8,000)
"Birth of the Blues" (Para.)
"Henry Aldrich for President" (Para.)
PARAMOUNT—(2,373) (40c-50c) 8 days. Gross: $9,000. (Average, $4,500)
"They Died With Their Boots On" (W. B.)
ROGER SHERMAN—(2,076) (40c-50c) 7 days. Gross: $8,900. (Average, $5,000)

1,000th Para. Film Is Released in Sweden

The Stockholm opening of the Paramount film, "The Lady Eve," marked the one-thousandth Paramount film released in Sweden since the company began distribution in that country, according to word received at the home office from Carl P. York, general manager in Scandinavia.

'Falcon' Gets Big $33,205, Los Angeles

LOS ANGELES, Nov. 30.—Business was approximately 38 per cent over average for Los Angeles and Hollywood's first-run theatres for the week which opened with the Thanksgiving holiday. All theatres showed considerably over the houses' averages. "The Maltese Falcon," coupled with "Target for Tonight," grossed a total of $33,205 at the local Warner houses, to become the leader.

Estimated receipts for the week ending Nov. 26:

"The Shadow of the Thin Man" (M-G-M)
"Miss Polly" (U. A.)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $14,000. (Average, $12,000)
"All That Money Can Buy (RKO)
4 STAR—(900) (44c-55c) 7 days. Gross: $7,500. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days, 6th week. Gross: $7,000.
"Texas" (Col.)
"You'll Never Get Rich" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,900. (Average, $6,500)
"The Shadow of the Thin Man" (M-G-M)
"Miss Polly" (U. A.)
LOEW'S STATE — (2,700) (33c-44c-55c-75c) 7 days. Gross: $18,500. (Average, $14,000)
"Texas" (Col.)
"You'll Never Get Rich" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,200. (Average, $7,000)
"Skylark" (Para.)
PARAMOUNT — (3,595) (33c-44c-55c-75c) 7 days. Stage: Skinnay Ennis. Gross: $20,000. (Average, $18,000)
"The Maltese Falcon" (W. B.)
"Target for Tonight" (W. B.)
WARNER BROTHERS — (Hollywood) (3,000) (33c-44c-55c-75c) 7 days. Gross: $17,288. (Average, $14,000)
"The Maltese Falcon" (W. B.)
"Target for Tonight" (W. B.)
WARNER BROS. — (Downtown) (3,400) (33c-44c-55c-75c) 7 days. Gross: $15,917. (Average, $12,000)

'Flying' Is Strong; Detroit Grosses Up

DETROIT, Nov. 30.—The Fox, with two days' receipts from the world premiere of "Keep 'Em Flying" with the personal appearance of the stars, reported $14,000 gross for the two days and $15,000 for the other five. The Michigan grossed $21,000 with a split-week of two and five days.

Estimated receipts for the week ending Nov. 20:

"Week-End in Havana" (20th-Fox)
"Moon Over Her Shoulder" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $6,500)
"Hold That Ghost" (Univ.)
"Belle Starr" (20th-Fox)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $7,000)
"Appointment for Love" (Univ.)
"Three Girls About Town" (Col.) 5 days
"Keep 'Em Flying" (Univ.)
"The Perfect Snob" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) ($2.20-$1.10 for premiere) 7 days. Gross: $29,000. (Average, $15,000)
"The Maltese Falcon" (W. B.)
"Kisses for Breakfast" (W. B.) 5 days.
"Birth of the Blues" (Para.)
"The Big Store" (M-G-M) 2 days
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $21,000. (Average, $12,000)
"New York Town" (Para.)
"Barnacle Bill" (M-G-M) 5 days
"The Maltese Falcon" (W. B.)
"Kisses for Breakfast" (W. B.) 2 days
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $9,500. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 4th week. Gross: $11,000. (Average, $10,000)



We **KNOW** it will top
"Dodge City"

We **KNOW** it will top
"Virginia City"

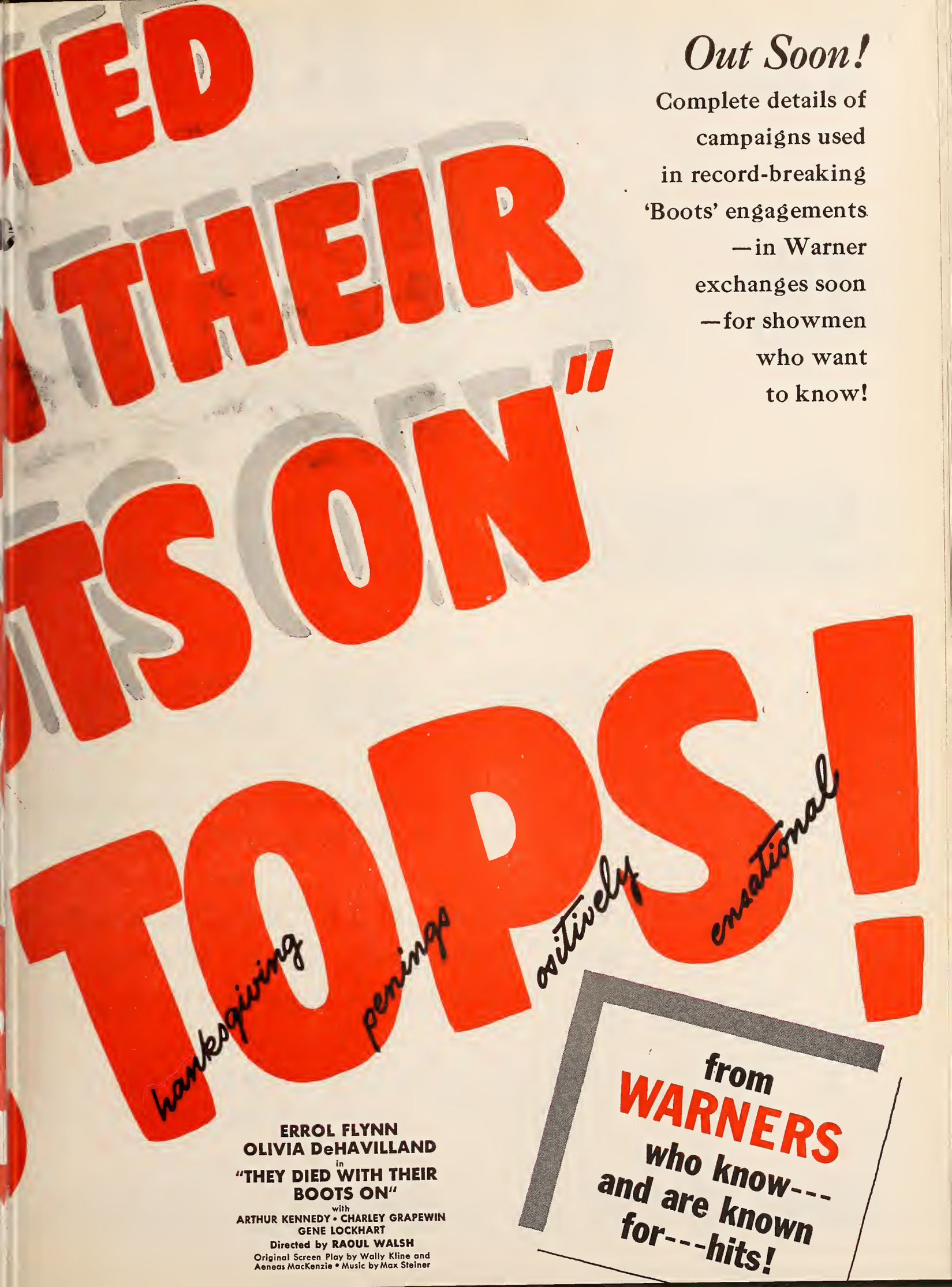
We **KNOW** it will top
"Santa Fe Trail"

We **KNOW** it will top
"Dive Bomber"

**BECAUSE IT'S
DOING IT
RIGHT NOW!**

NEW SEASON! NEW BOXOFFICE HIGHS! WB WARNER BROS.

"THEY WIT
BO
IS


IED
THEIR
TS ON"
TOPS!
hanksgiving
penings
ositively
ensational
Out Soon!
Complete details of campaigns used in record-breaking 'Boots' engagements —in Warner exchanges soon —for showmen who want to know!
ERROL FLYNN
OLIVIA DeHAVILLAND
in
"THEY DIED WITH THEIR BOOTS ON"
with
ARTHUR KENNEDY • CHARLEY GRAPEWIN
GENE LOCKHART
Directed by RAOUL WALSH
Original Screen Play by Wally Kline and Aeneas MacKenzie • Music by Max Steiner
from
WARNERS
who know---
and are known
for---hits!

"HOW GREEN



IS A GOLD

SCRANTON AND

AS BIG AS IT IS C

Pre-release Openings at Strand in Scranto
Wilkes-Barre the Most Sensational in the His

THANKSGIVING DAY OPENINGS B
ANY DAY IN ANY WEEK IN
EVERY RECORD SHATT

Full Week's Business of "Week-end In Havana" Equalled By
the Premiere Night Was Greater Than Full Day's Busi

BIG CITY . . . SMALL CITY .

AS MY VALLEY"



MINE IN

'ILKES-BARRE!

B'WAY!

omerford in
Both Cities!

VERYTHING—
YEAR!
!

Barre In One Day! And
"A Yank In R. A. F."!

Super-showmandising!

105 trailer prints used in 35 Comerford theatres in advance of openings!

Proclamations by Mayor Loveland of Wilkes-Barre and Mayor Huester of Scranton welcomed picture!

Huge street banners spanned theatre approaches!

Chamber of Commerce, Glee Clubs, Welsh Women's Society, other groups gave great co-operation!

Tremendous newspaper breaks and unstinted plugs from local radio station!

Tremendous turn-out for gala dual openings taxed police lines, snarled traffic, drew countless thousands from a radius of 45 miles!

20th CENTURY FOX

HOW GREAT IS MY VALLEY!

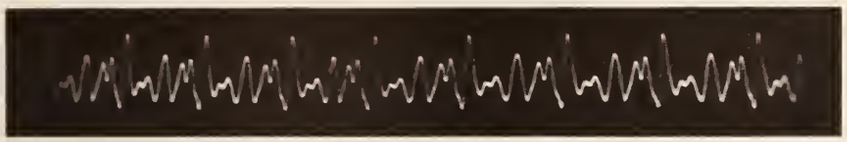




The oboe sounds its "a"

...and a New Century of Music begins

A hundred years ago in the Apollo Rooms on Lower Broadway, an oboe sounded the pitch... the strings, the brasses and the woodwinds tuned... and a Connecticut Yankee raised his baton to signal the start of Beethoven's Fifth Symphony. Before him, at their high music racks, stood the first symphony orchestra in America. Behind him an audience of some 400 sat upright in their pews.



Today, in Carnegie Hall, an oboe again sounds its "a"... and the 62nd successor to Ureli Hill raises his baton before the orchestra of the Philharmonic-Symphony Society of New York.

And behind him... before him... all around him... an *audience of 10,000,000* awaits the opening theme.

10,000,000 people listening to the radio on a Sunday afternoon!... More than have heard the Philharmonic within the walls of a concert hall in the hundred years of its history.

What finer tribute to the world's greatest orchestra on the beginning of its second century? What better evidence of an America musically come of age?

The oscillograpb registers the wave pattern of an oboe's "a" sounded by tbe Philharmonic's Bruno Labate. Instruments in an orchestra traditionally tune to an oboe because its accurate pitch and penetrating tone are easily caught by the buman ear.

100th Anniversary of the
Philharmonic-Symphony Society of New York
Broadcast exclusively for the past 12 years over

THE COLUMBIA BROADCASTING SYSTEM

Opposition to Garbo Picture Is Spreading

(Continued from page 1)

open Thursday regardless of the Archbishop's action, because of booking commitments. Williams said that there would be a routine advertising campaign in advance of the opening.

Letter to Priests

Archbishop Glennon made known his action in a letter to the Catholic priests in which he pointed out the film has been condemned for its "immoral and un-Christian attitude toward marriage and its impudently suggestive scenes, dialogue and costumes."

The Archbishop also recalled the pledge of parishioners on December 15, 1940, in which they promised to do all they could to strengthen public opinion against the production of indecent and immoral films and to unite with all who protest against them.

"We wish you to make known to your people the condemnation of this film which offends not only the moral law but is an insult to the decent and fair minded citizens of our city," Archbishop Glennon asked the parish priests.

Criticism in Press

Criticism of the film appeared in the Catholic press. *The Review,* Catholic publication of Baltimore serving that city and Washington, in a front-page article referring to the Legion's condemnation of the picture, declared:

It is unfit to be seen by persons, Catholic or non-Catholic, who depend on the National Legion of Decency as a guide to the movies.

"*The Review* hereby notifies the owners and managers of theatres that the presentation of 'Two-Faced Woman' will be considered by the Catholic Archdioceses of Baltimore and Washington and others as a distinct lowering of standards and an affront to them and will be resented as such."

'Road' Cancellation By Warner Circuit

CHICAGO, Nov. 30.—"We're in the business 52 weeks a year and we're not going to defy public opinion," Larry Stein, Warner Theatres district manager here, declared in connection with the circuit's cancellation of the road show of the play, "Tobacco Road," in Hammond, Ind., last week.

Warner officials here called off the engagement, scheduled for the Paramount Theatre in Hammond, at the request of Mayor Frank Martin and civic groups, although a Federal court order had been obtained to prevent the Mayor from closing the show on grounds of obscenity.

Stein also commented: "We can just about tell when the pressure is enough to warrant a change in our policy."

The cancellation is said to have cost the circuit $1,500. The company went from Hammond to St. Louis.

Critics' Quotes . . .

"HOW GREEN WAS MY VALLEY" (20th Century-Fox)

"How Green Was My Valley" has a quality and distinction inadequately described by calling it one of the year's best films.—*Newsweek.*

This is a film conceived and executed with dignity, honesty, thoroughness and superlative competence. It is a full-bodied work. It has stature and completeness; a maximum of cinematic skill, the minimum of movie trickery. —*Cecelia Ager, PM (New York).*

A motion picture of great poetic charm and dignity, a picture rich in visual fabrication and in the vigor of its imagery, and one whch may truly be regarded as an outstandng film of the year.—*Bosley Crowther, New York Times.*

One of the few films of which it can be said that you will be denying yourself a rich experience by missing it.—*Howard Barnes, New York Herald Tribune.*

One of the outstanding film productions of the year . . . an extraordinarily interesting picture, one that warms the cockles of the heart.—*Kate Cameron, New York News.*

It is a perfect production.—*Lee Mortimer, New York Daily Mirror.*

John Ford's masterpiece . . . a ruefully tender, tragic, moving story . . . a beautifully composed mosaic of photography, acting, directing, writing and music.—*William Boehnel, New York World Telegram.*

"DUMBO" (Disney-RKO)

Disney's fifth feature-length cartoon is as good as his best; technically, it is a good deal better.—*Newsweek.*

Every minute of it is sheer delight . . . "Dumbo" has replaced "Fantasia" at the Broadway, and while the latter film represents greater accomplishment in the advancement of color, sound and light as applied to the screen, the former has more charm and entertainment value than its predecessor.—*Kate Cameron, New York News.*

Once again Walt Disney has provided a delightful treat. . . . It's a succession of entertaining scenes.—*Rose Pelswick, New York Journal-American.*

"Dumbo" is the nicest, kindest Disney yet. It has the most heart, taste, beauty, compassion, skill, restraint.—*Cecelia Ager, PM (New York).*

A show which is so completely captivating that you will be making the mistake of your film-going life if you miss it . . . a Disney masterpiece.—*Howard Barnes, New York Herald Tribune.*

The most genial, the most endearing, the most completely precious cartoon feature film ever to emerge from the magical brushes of Walt Disney's wonder-working artists . . . a film you will never forget.—*Bosley Crowther, New York Times.*

The color of the picture, its technical facility in sound and sight, and above all the directorial boldness and assurance of narrative are as good as anything the Disney organization has ever produced. Therefore it is with extreme regret that this reveiwer has to note a remarkable failure of the inventive imagination.—*Archer Winsten, New York Post.*

"YOU'LL NEVER GET RICH" (Columbia)

With Cole Porter music, sensible settings and a solid blend of comic nuances supplied by Guinn Williams, Donald McBride and Cliff Nazarro, "You'll Never Get Rich" is not only a triumphal return-piece for Astaire, but one of the brightest of the service pictures.—*Robert W. Dana, New York Herald Tribune.*

The material is exceptionally good for a musical comedy and, for the most part, except when army life is exaggerated for a reason, it is believable.—*Wanda Hale, New York News.*

A lightly diverting comedy with music has been fashioned around Fred Astaire.—*New York Journal-American.*

The film does sag in places and it rarely matches the better of the Astaire musicals. But it keeps monotony at a reasonable minimum, and with Robert Benchley to strew the script with sheepish gags and with Mr. Astaire and Miss Hayworth out in front most of the time, "You'll Never Get Rich" makes for a gay, lively and fanciful show.—*New York Times.*

A pleasant little musical . . . Fred Astaire dances at the peak of his form. Rita Hayworth is excellent as his latest dancing partner, and Robert Benchley amusing as the moneyed wretch in the romantic machinery. The Cole Porter score is merely adequate.—*Newsweek.*

"ALL THAT MONEY CAN BUY" (RKO)

A ticklish job for adaptation to the screen, it has been handled with skill and good humor by Producer-Director William Dieterle . . . definitely superior cinema.—*Time.*

Whether or not it clicks at the box-office, this 1936 *Saturday Evening Post* short story that won the O. Henry award is certain to prove an unusual experience for the critical moviegoer and add to the prestige of both RKO and William Dieterle, producer-director.—*Newsweek.*

A film so beguiling that the devil himself couldn't resist it.—*Donald Kirkley, Baltimore Sun.*

One of the year's outstanding achievements.—*Gilbert Kanour, Baltimore Evening Sun.*

A rare motion picture achievement . . . an absorbing novel and generally entertaining work.—*Howard Barnes, New York Herald Tribune.*

By all the signs and portents, it should be one of the best pictures of the year.—*Bosley Crowther, New York Times.*

The picture, under William Dieterle's direction, is beautifully made and finely acted by a cast that gave its best to the production. But the story is weighted with doom and is likely to have a depressing effect on a motion picture audience.—*Kate Cameron, New York News.*

Arbitration Cases Drop To 9 in Nov.

(Continued from page 1)

one at the Indianapolis tribunal, which was the first of record there. Two boards, Des Moines and Seattle, still have had no complaints.

Of 59 awards made by arbitrators to date, 32 have been in favor of exhibitor complainants and 27 have been in favor of distributor respondents. However, an appreciable number of cases which have been withdrawn prior to the making of awards involved voluntary settlements which gave complaining exhibitors some relief.

10 Appeals Decided

Of the 59 awards, 18 have been appealed and 10 decisions have been made by the appeals board. Of the latter, eight were in favor of distributors and two for exhibitors.

Only 20 of the 31 local boards have complaints pending. Of the 20, nine boards have only one case pending, leaving only 11 boards with more than one undisposed of. New York continues to lead in number of cases of record with a total of 27; Philadelphia is second with 14, and Washington third with 10.

E. M. Loew Files On Boston Clearance

BOSTON, Nov. 30.—The Boston arbitration boards' seventh complaint was filed yesterday by E. M. Loew's Strand, Boston, against Paramount, RKO, 20th Century-Fox and Warners.

The complaint seeks elimination of the seven days clearance over the Strand now held by the Rialto and a reduction to seven days of the 14 days clearance now held by the Bayliss over the Strand.

Crescent Decision Seen Before Xmas

(Continued from page 1)

won a dismissal from the case at the close of trial in September.

Attorneys reported that Judge Davies had informed them that his decision would be ready before he left Nashville for a Christmas vacation.

The final arguments today will present the unusual circumstance of a president of one company, Edward C. Raftery of United Artists, defending another company, Universal, in the action. Raftery was retained as counsel by Universal, as well as United Artists, long before his recent election to the presidency of the latter company. He will be the only New York counsel at today's hearing in Nashville as his associate, Benjamin Pepper of O'Brien, Driscoll & Raftery, will be engaged here in preparation of briefs for the coming trial of the Government action against the Schine Circuit and the Little Three at Federal court in Buffalo.

Form Kentucky Firm

FRANKFORT, Ky., Nov. 30.—The Brock Service Co., Louisville, has been incorporated here to operate theatres.

LL OF FIRE BIG FOR NEW YEAR'S

RKO SERVICE CORPORATION

RKO BUILDING RADIO CITY



OFFICE OF THE VICE-PRESIDENT IN CHARGE OF THEATRE OPERATIONS

November 19, 1941

Mr. Sam Goldwyn
7210 Santa Monica Blvd.
Los Angeles, Calif.

Dear Sam:

Having gone to Hollywood for the express purpose of looking at BALL OF FIRE and having seen it twice before audiences at sneak previews I want to repeat that I expect it to be one of the year's biggest box office attractions.

To back up that confidence I am happy to tell you that I have arranged for BALL OF FIRE to open in a large number of our theatres New Year's week. I cannot imagine a more suitable or profitable picture for that preferred playing time.

BALL OF FIRE has everything a fine picture should have - marvelous comedy and glorious romance. Gary Cooper is just as the public likes him best. Barbara Stanwyck has the best part in her brilliant career. In fact every member of the cast is perfect and needless to say the whole production reflects the good taste and high quality that we have come to expect in every Goldwyn picture.

I am glad to have seen you again and to have had the opportunity of looking at BALL OF FIRE. It is a grand show and great entertainment. I know that RKO can look forward to one of its biggest New Year's weeks.

Kind personal regards.

Sincerely yours,

Charles W. Koerner

C. W. Koerner



U.S. Considers Priorities on Television Sets

(*Continued from page* 1)

the priority ratings, declared that reaction to the request is quite favorable and that he is "very hopeful." The plan calls for the release of materials to manufacturers for about 2,000 sets monthly. Additionally, there is a move afoot to induce the Government to purchase outright 10,000 receivers and to place them in strategic points in this city and other localities which have television transmitters.

Would Aid in Training

With telecasters cooperating by transmitting special defense programs, groups of civilians such as air raid wardens and similar defense organizations could gather at places where sets are installed and learn their duties en masse, it was stated.

Loewi places DuMont receiver sales since July 1, the date television was commercialized, at "slightly under 200." Recently, however, set sales have increased somewhat, Loewi said. He pointed out that many who would normally have purchased sets have refrained from doing so because they feared television would be forced off the air "for the duration" or that sets would be altered in the near future. The granting of priorities for television, however, would restore confidence and create a demand, according to Loewi.

Average 14 Hours Weekly

DuMont, which operates W2XWV as an experimental station, for the past two months has averaged about 14 hours of transmission weekly, he said. This has been on an irregular schedule, however, and has consisted mainly of test patterns and films. Last Thursday, a feature film was televised and Loewi is hopeful of setting up Thursday evenings as a regular night for programs as the first regular schedule for the station.

The station still operates on a temporary antenna and hopes for delivery from the manufacturer of a permanent antenna have just about disappeared, he said. DuMont will probably build its own. Outdoor mobile equipment is ready, Loewi said, although it will not be used until a full program schedule is begun.

RCA to Form New Firm for Blue Net

(*Continued from page* 1)

by the commission. However, the order may be reinstated at any time, and if that is done, NBC would be compelled to dispose of the Blue Network within six months thereafter.

The new corporation set up for the Blue web is expected to make a sale easier, as all assets and liabilities of each network will be completely separated.

When CBS disposed of its Artists Management Corp. recently, the fact that it was operated by a separate corporation made the sale easier to handle, while NBC, which had no such separate corporation, encountered many difficulties, and to date has failed to dispose of its artists bureau.

Off the Antenna

WITH other independent stations in the New York area increasing their wattage, WMCA is preparing a campaign based on FCC engineering data to prove the importance of dial position. Based on these figures, WMCA will urge that the "progressive loss of power through ground absorption of signal strength among stations higher up on the dial" gives WMCA's 5,000 watts, the equivalent of much greater strength at higher frequencies. Using statistics for non-directional antenna, WMCA points out that 5,000 watts at 570 kc., the WMCA frequency, is the equal of 480,000 watts at 1,600 kc.

• • •

Purely Personal: *Mrs. Franklin D. Roosevelt will be featured speaker on "America's Town Meeting of the Air" over NBC-Blue Thursday. . . . Lily Pons will be guest on short wave stations WRCA and WBOS Wednesday during a Metropolitan Museum of Art lecture program devoted to opera. . . . Alfred Wallenstein, WOR conductor, has selected three of his musicians to lead the WOR Symphony Orchestra as guest conductors for programs in January. They are Milton Katime, Harry Farbman and Frederick Dvonch. . . . Joan Edwards has been chosen as vocalist on the CBS "Your Hit Parade."*

• • •

An analysis of program material on W71NY, WOR's FM station, released over the weekend, reveals that only 5.4 per cent of its programs are the same as those of its parent station, WOR. The bulk of the material, 45.3 per cent, is high fidelity transcriptions. Mutual network programs not carried by WOR make up 29.6 per cent and W71NY originates 9.4 per cent on its own. The remaining 10.3 per cent is made up of recordings.

• • •

David O. Selznick will be guest on Kate Smith's noonday show tomorrow over CBS to receive the *N. Y. Daily Mirror* award as the "outstanding producer of motion pictures." Kenneth McCaleb, Sunday editor, will make the presentation and Selznick will be introduced by Miss Smith and Ted Collins, producer of the program.

• • •

Program News: *Edwin C. Hill will take his program, "The Human Side of the News," heard over CBS, to the annual convention of the National Association of Manufacturers Wednesday and Friday for interviews with business men. . . . A series of six sustaining programs, "Defense and Your Dollar," prepared by the 20th Century Fund, will start over NBC-Blue Saturday 3-3:15 P.M. . . . Bristol-Myers has renewed for another 13 weeks the news commentary by Frank Bingman over the NBC-Red Pacific Coast and Mountain networks. . . . Arthur Tracy, whose "Street Singer" program was notable on the networks, will return to the air Jan. 5 on 23 NBC-Blue stations 4-4:15 P.M., sponsored by Ex Lax. . . . Dogs will be offered for adoption over NBC television in a new weekly series starting Wednesday at 8:45 P.M.*

• • •

Rita Hayworth and Bob Hope will receive awards tonight from the Hollywood Photographers Association as the most cooperative screen performers of the year. Cecil B. DeMille will make the presentation over CBS during the "Lux Radio Theatre," 9-10 P.M.

Theatre Changes

Loew-Poli Men Are Shifted

NEW HAVEN, Nov. 30.—Harry F. Shaw, Loew-Poli division manager, has appointed Nat Rubin, former assistant at the Poli here, to manager of the Lyric, Bridgeport following adoption by that theatre of a full-week policy. Frank Manente, former student at the Poli, New Haven, has been promoted to assistant at the Globe, Bridgeport, while Tony Masella of the Globe has been transferred to assistant at the New Haven house.

Buys Out Philadelphia House

PHILADELPHIA, Nov. 30.—Henry Freedman becomes the sole owner of the suburban Lawndale, having bought out the interest of Harry Fried, who operates a group of independent suburban theatres. Freedman recently leased his suburban Lansdale to Warner Theatres.

Open Miss. Drive-In

JACKSON, Miss., Nov. 30.—The new Drive-In Theatre, located east of Jackson, has opened. The new theatre will accommodate 350 cars. Under the management of the Kennington-Richards Enterprises, it is the first of its type in the state.

Commonwealth Acquires Three

KANSAS CITY, Nov. 30.—Commonwealth Theatres has taken over the Baxter and Ritz theatres, Baxter Springs, Kan., from J. W. Grantham. Commonwealth also has acquired the lease on the Elite Theatre in Baxter Springs, owned by Homer Garber.

Shift Milwaukee Managers

MILWAUKEE, Nov. 30.—Fox has named new managers for its Wisconsin and Palace, local first-run houses. Joseph Rosenfield, former manager of the Modjeska, heads the Wisconsin, and Louis Lutz, former manager at the Oriental, is the new Palace manager.

Oakland Managers Moved

OAKLAND, Cal., Nov. 30.—George Yost, former manager of the Dimond, has been named manager of the Palace. Replacing him at the Dimond is Frank Hayward.

Rebuild Burned Theatre

WEST POINT, Ia., Nov. 30.—Ben Brinck will have a new $12,000 theatre building to replace the one recently destroyed by fire, construction to be completed for opening at Christmas.

WHN Gets Exclusive Rights on Dodgers

WHN announced over the weekend that it has obtained exclusive rights to all Brooklyn Dodger baseball games next year. Old Gold Cigarettes will sponsor, through the J. Walter Thompson agency. Red Barber will be the announcer. The broadcasts will start with the pre-seas games about March 15, a the schedule will include a home and away-from-home games.

This is the first big WHN contract announced since the station increased its power to 50,000 watts.

House Hears FCC Official Pro-'Re

WASHINGTON, Nov. 30.—Carry his anti-Communism campaign to floor of the House, Rep. Martin D of Texas asserted Friday that F Chairman James L. Fly had eva the issue raised by the charge t Goodwin Watson, chief FCC bro cast analyst, is a "propagandist Communism."

"I hold in my hand unimpeacha documents to establish the charge, a I intend to have a showdown w the chairman of the FCC as to truth or untruth of this charge," D told the House.

"I further charge, and I now rep it, that Goodwin Watson has beer propagandist for Communism and Soviet Union. I have Watson's disputed writings to prove t charge."

Fly "absolutely ignored" an offer show him the evidence, Rep. Dies a serted, but replied to the charge saying that he had made an inqu and had found the charge basele "Instead of looking at our eviden Chairman Fly wrote to me t Goodwin Watson is a man of 1 generation American ancestry," commented.

Cast of CBS Temple Holiday Series S

Warner Baxter, Robert Your Lionel Barrymore and Humphrey B gart will be heard with Shirley Te ple in her series of four Christm plays Friday nights at 10 P.M., whi start this week over CBS.

The schedule follows: Dec. 5, " Bonnet for Joan" with Baxter; D 12, "Mr. Ideal" with Young; Dec. 1 "Christmas for Two" with Barr more, and Dec. 26, an unnamed pl with Bogart. Billy Artzt and a ha mony quintet, "The Quintones," w furnish the music.

Cast in 'U' Serial

HOLLYWOOD, Nov. 30.—Kent Ta lor, Peggy Moran and Robert Arm strong were set today as the first the cast for Universal's serial bas on the "Gangbusters" radio progra

Lupino in W. B. Picture

HOLLYWOOD, Nov. 30.—Ida Lupi has been assigned to star in Wa ners' "The Damned Don't Cry." T part originally was announced f Bette Davis.

roducers to Get Allocation On Materials

(Continued from page 1)

longer be required to file indi- ual applications for different essen- material needs. The necessary s are now being distributed, cov- requirements for the first quar- of next year.

Steel-consuming industries already e been asked to report their needs the metal for the first quarter of 2. The needs of all industries will totaled against the available sup- , provision will be made for mili- y needs and then, through the Sup- Priorities and Allocations Board, ecific quantities will be allocated to various consuming industries.

The allocations system, gradually to extended to all commodities under striction, is designed to eliminate red tape and delays incident to the uring of priority ratings which of emselves have lost value because ey have been so generously distrib- ed that instances have been uncov- ed where the top ratings alone lled for more of a given commodity an was available.

The allocations to the several in- stries will be based upon their im- rtance, first from the standpoint of fense and then from that of the pub- need, which means that the film in- stry will rank high.

loskowitz, Brandt To 'Dimes' Meeting

(Continued from page 1)

ill attend a meeting in Washington morrow of the 48 chairmen repre- enting the general March of Dimes ommittees in each state.

The motion picture committee rep- esentatives will present a brochure o each of the state chairmen in which ne campaign plans of the industry ill be outlined. Nicholas M. Schenck, resident of Loew's, Inc., is chairman f the Motion Picture Committee of ne March of Dimes' 1942 campaign. President Franklin D. Roosevelt ill attend the meeting and is ex- ected to speak with regard to the orthcoming campaign, which is in bservance of the President's birthday nd for the benefit of the National oundation for Infantile Paralysis and ocal institutional aid for paralysis ufferers.

Blues' Omaha Hit Getting Big $7,500

OMAHA, Nov. 30.—"Birth of the Blues," with $7,500, pulled most of the irst-run business to the recently re- pened Paramount. The weather was lear and cool.

Estimated receipts for the week nding Nov. 26-27:

"Men in Her Life" (Col.)
"Secrets of the Lone Wolf" (Col.)
BRANDEIS—(1,200) (30c-44c) 7 days. Gross: $4,600. (Average, $4,000)
"Unholy Partners" (M-G-M)
"Three Cockeyed Sailors" (U. A.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $5,300. (Average, $6,000)
"The Night of January 16" (Para.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Joe Sanders orchestra. Gross: $13,400. (Average, $14,500)
"Birth of the Blues" (Para.)
"Great Guns" (20th-Fox)
PARAMOUNT—(3,000) (30c-44c) 7 days. Gross: $7,500. (Average, $4,000)

Showmanship Flashes . . .

Clergy Invited to See 'Heaven' and 'Gift'

PROVIDENCE, Nov. 30.—Local clergymen were invited guests at screenings here of "The Eternal Gift" and "One Foot in Heaven." The latter was screened for Protestant ministers at Fay's Theatre, the show being arranged by Edward M. Fay and Mark Larkin, the latter doing exploitation work on the feature for Warners. Robert Grossman had a special showing of "The Eternal Gift" for an audience of priests and prominent Catholic men and women several days in advance of his opening.

Family Portrait Contest Used for 'Foot in Heaven'

St. Louis, Nov. 30.—As part of the exploitation campaign for "One Foot in Heaven" at the Ambassador, Harry Crawford, manager, conducted a drive—through ads in the daily press—for family portraits. Tickets were awarded to those accepted for use in lobby displays.

Resemblance Contest Promotes 'Belle Starr'

CHARLOTTE, N. C., Nov. 30.—*The Carolina Theatre here staged a contest in exploiting "Belle Starr," offering the winner a cup and entertainment by the local Variety Club. The contest was for the girl most nearly resembling Gene Tierney, star of the film. Jack Austin is manager of the house.*

UA Sends Xmas Packages Of 'Corsican' Ad Campaign

Monroe Greenthal, director of advertising and publicity for United Artists, has sent to the heads of the leading circuits of the country sets of proofs on the advertising campaign for "Corsican Brothers," Edward Small production which will be the United Artists Christmas attraction. The sets of proofs were elaborately packaged in Christmas wrappings.

The Year's Most Important
Public Service Announcement



Beginning Monday, December 1

Last-minute news gathered by

The New York Times

will be broadcast

every hour on the hour* by

WMCA NEW YORK

America's Leading Independent Station

*Monday through Saturday: 8 a.m. through 11 p.m.
Sunday: 9 a.m., 1 p.m., 5 p.m., 11 p.m.

PRODUCT DIGES

Product Digest? It's the very thing every manager in America has been looking for since "Covered Wagon" days. It's tops.

H. L. RICHARDSON
Smalley's Plain Theatre
Fort Plain, New York

This is my 31st year in the Theatre Business and it is the best thing that has come along to help me intelligently book and exploit pictures.

H. E. MILLER
Miller Theatre
Festus, Mo.

I do my booking largely by its use.

R. D. PAGE
Maury Theatre
Mt. Pleasant, Tenn.

I refer to it most every day as your files have all the information and you don't have to look elsewhere.

FRANK WOLF
Center Theatre
Philadelphia, Pa.

I can truly say that I would not be without it.

GEORGE LABY
Victory Theatre
Holyoke, Mass.

We find your Product Digest as now being compiled very easy to use.

J. G. CALDWELL
Princess-Caldwell Theatres
Aurora, Mo.

Product Digest is in constant and daily use.

ART BOWMAN
Star-Arbo Theatres
Kansas City, Missouri

For quick reference of necessary in formation it has no equal.

W. J. WILKE
Liberty Theatre
Graham, Texas

It is a great asset in every respect especially for exploitation of pic tures. Your advance reviews and tips are great.

J. G. SAMARTANO
Loew Poli-Palace Theatre
Meriden, Conn.

We appreciate very much the ac curate, advance write-ups of the fea tures. It is a time-saver when doing our bookings.

J. W. RICHLEY
York Theatre
York, Pa.

Product Digest is complete, depend able and compiled in a splendid manner. It's not idle gossip when I say we will still be using last year's Product Digest for the next few seasons.

JOSEPH A. FORTE
Parker Theatre
Darby, Pa.

I think the Product Digest of the MOTION PICTURE HERALD is about everything a showman could ask for.

FELIX H. TISDALE
Ga-Ana Theatre
Georgiana, Alabama

After using the Product Digest I don't see how anyone could get along without it.

J. A. NEUMAN
Beaux Arts Theatre
St. Paul, Minn.

a weekly feature i

. . . everything a Showman could ask for"

It is the best system I have ever used.

WALTER BUENGER
Pecos & Grand Theatres
Fort Stockton, Texas

Product Digest is one of the biggest helps in buying, booking and exploitation of pictures that has ever been put before an exhibitor.

C. L. FIRMAGE
Firmage Theatre
Milford, Utah

It is possible to maintain this section with a minimum of time and effort and it provides a maximum amount of information indexed in such a way that it is readily obtainable.

W. CALDWELL
Lyrice Theatre
Scottsville, Ky.

The idea, the system and the method of reference of your Product Digest is excellent.

HUGH W. BRUEN
Bruen's Whittier Theatres
Whittier, Calif.

I can say that it is the most complete and satisfactory way to keep up on pictures, offered by any paper.

JIMMIE REDMOND
Bonham Theatre
Fairbury, Nebraska

We use this feature all of the time and find it very helpful.

LYLE BRIGHTBILL
Auditorium Theatre
Cando, N. D.

I have learned to rely so much on my binder for booking and exploitation that I would be lost without it.

L. C. LAMPO
Avalon Theatre
Jeanerette, La.

Product Digest is a great and quick help to me.

O. E. BAUMAN
Classic Theatre
Watertown, Wis.

This new department has served us very well.

FRED ZEKMAN
Black Hills Amusement Co.
Denver, Col.

The Product Digest has been a very great help to me and I have on file all the issues since the beginning of this section.

WALLACE W. DEUPIN
Pic Theatre
Woodbine, Iowa

I find myself constantly referring to the information contained in the Product Digest and as booker for this circuit it gives me the information that I must have in doing my work intelligently.

W. M. GRIFFIN
I. W. Rogers Theatres
Cairo, Illinois

Your Product Digest has proved most helpful to us in the operation of our theatres. It has proved so satisfactory that we are keeping it right up to snuff every week.

LESTER J. SACK
Sack Amusement Enterprises
Dallas, Texas

We have found the short subjects review section of great value.

PHILLIP E. REYNOLDS
Strand Theatre
Phoenix, Arizona

"RED HOT DRAMA— thrilling... epic... Forty thousand hell-roaring Anzacs charging savagely behind long, gleaming bayonets.. magnificent direction... nothing more thrilling on any screen!" —Says the N. Y. SUN

Here They Come!

THE FIGHTING ANZACS

WITH

"Everything from genuine thrills to red-blooded romance — from mad, wild military charges to passionate love in the moonlight! Wildly dramatic!"
BOSTON DAILY GLOBE

"A genuinely exciting film—soul stirring . . . will send your heart right up into your mouth . . . makes Hollywood seem pale and listless by contrast . . . feel you are watching history in the making."
BOSTON HERALD

"Scenes of unparalleled valour and breathless excitement . . . fiery romance! Unequalled in its fierce combats. Will go down as one of the most exciting pictures of the year."
BOSTON TRAVELER

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NEW YORK TIMES

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 108 NEW YORK, U. S. A., TUESDAY, DECEMBER 2, 1941 TEN CENTS

See Failure of Minn. Law to Afford Relief

Theatre Plight Blamed On Consent Decree

MINNEAPOLIS, Dec. 1.—Intimations that the Minnesota anti-block-of-five law has failed to bring the relief expected of it to the State's independent exhibitors is contained in a message to members of Northwest Allied issued late last week by Fred Strom, executive secretary.

"Exhibitors of the nation, as well as of Minnesota," Strom wrote, "have the consent decree to thank for their present plight. In view of the inordinate earnings and profits of producer-distributors, no exhibitor need question any longer for whose benefit the consent decree was written. It

(*Continued on page 6*)

Arrest Nick Dean In Extortion Case

Nick Dean, associate of William Bioff and George E. Browne, was arrested yesterday in Chicago by FBI agents after a search since last July 9, the Department of Justice announced yesterday. Dean is under indictment with Louis Kaufman for allegedly extorting "upwards of $1,000,000" from the film industry.

Dean, also known as Nick Circella, is being flown from Chicago to New York, and is expected here this morning to face an arraignment in Federal Court. His apprehension is expected to speed the fixing of a date for his trial on the extortion charge.

According to the Government, Dean acted as agent for Bioff and Browne in the collection of tribute money from the film industry in local situations and particularly from Chicago theatre circuits. Kaufman is free on $15,000 bail.

NBC Shifts Strotz To Coast Operations

In a major shakeup at NBC, Niles Trammell, president, announced yesterday the transfer of Sidney Strotz, now vice-president in charge of programs, to Holllywood, where he will be vice-president in charge of Pacific Coast operations for the network.

Strotz will be succeeded by C. L. Menser, now national production manager, while Don Gilman, now vice-president in charge of the Pacific

(*Continued on page 7*)

Ascap's Distribution Drops To $2,700,000 This Year

Ascap's total distribution to publisher and writer members for 1941 will be about $2,700,000 as compared with $7,000,000 for 1940, Gene Buck, president, reported at the annual meeting at the Hotel Astor yesterday. The drop was occasioned by the "war" with the broadcasters which began Jan. 1.

Operating expenses of the organization increased from a yearly average of about $1,000,000 to $1,600,000 this year, Buck said, attributing the rise to the radio "war". Because of the settlement of the feud with all the networks and many of the stations, Buck expects to distribute between $2,500,000 to $3,000,000 from radio in 1942. Other revenue sources should bring the total to $5,000,000, he said.

Buck received a rising vote of confidence from most of the approximately 550 in the audience after he had explained his rejection of a $35,000 annuity offered him by a publisher group as an inducement to retire. Buck explained that he would not retire unless

(*Continued on page 7*)

Equity Disturbed at Camp Ban on 'Eileen'

Paul Dullzell, Actors Equity executive president, stated yesterday that the union "is very much disturbed" over the decision of Camp Shows to cancel "My Sister Eileen." Members of the cast will receive three weeks' rehearsal pay and two weeks' salary. Dullzell declared that lack of technical equipment was given as the reason for

(*Continued on page 7*)

M-G-M's 'Virginian' To Have Premiere In Lynchburg, Va.

CHICAGO, Dec. 1.—William F. Rodgers, M-G-M vice-president and general sales manager, announced at the company's sales meeting here that the "The Vanishing Virginian" will be given a premiere at Lynchburg, Va., on the same broad scale given "Gone With the Wind" at Atlanta.



W. F. Rodgers

Rodgers told the meeting, which ended today, that the entire organization from Nicholas M. Schenck, president, down, extends to Thomas J. Connors its best wishes for a full measure of success in his new post as assistant to S. R. Kent, president of 20th Century-Fox.

A dinner was given last night as a testimonial to Connors and to welcome John E. Flynn into the divisional managers' ranks. Flynn has been appointed Central division manager, succeeding E. K. O'Shea, who

(*Continued on page 6*)

Congressman Demands Withdrawal of Garbo Film

WASHINGTON, Dec. 1.—Charging that production of "Two-Faced Woman" was an "affront to Congress in view of the industry's promises to put out no pictures offensive to good taste and decency, Rep. Martin J. Kennedy of New York today demanded of Will H. Hays that distribution of the Greta Garbo picture be halted.

Kennedy's letter to Hays was based on criticism by Archbishop Francis J. Spellman of New York that the film was a "danger to the public morality."

The Congressman asserted that industry spokesmen had promised to eliminate offensive pictures at recent Congressional hearings, and that pro-

(*Continued on page 6*)

Menken to Speak at Cinema Lodge Dec. 9

Arthur Menken, Paramount News cameraman, will be guest speaker at the first Fall meeting of Cinema Lodge of B'nai B'rith, on Dec. 9 in the Grand Ballroom of the Hotel Edison, Arthur Israel, Jr., president of the lodge, announced yesterday. Menken will show "Battle for the Pacific," resume of his travels on the Far Eastern front.

Another speaker will be Judge Jacob Asher, president of District No. 1 of B'nai B'rith. Rabbi Nathan Perilman of Temple Emanu-El will offer the invocation.

Univ. and U.A. Not to Attend Unity Meeting

Raftery Reveals Decision For Both Companies

By JOHN SHUMAKER

NASHVILLE, Dec. 1.—United Artists and Universal do not intend to participate in the all-industry unity meeting sponsored by Allied States at Chicago, Dec. 9, Edward C. Raftery, United Artists president and counsel for both companies in the Government's Crescent anti-trust suit here, said today.

Raftery indicated that he regarded the main object of the meeting to be an attempt to formulate a system of distribution for use "after the consent decree is thrown out." It was believed that the two companies' decisions not to participate in the meeting was for that asserted reason.

Universal officials could not be reached for comment on Raftery's statement late yesterday.

Counsel Make Final Crescent Arguments

NASHVILLE, Dec. 1.—Counsel for the Government, United Artists and Universal Film Exchanges today presented final arguments in the Crescent Amusement Co. anti-trust action in Federal Court here, and indications were that the case, which consumed seven weeks of trial in the Summer, would be in the hands of Federal Judge Elmer Davies by late tomorrow afternoon.

With one exception, all briefs are in. Robert L. Wright, special assis-

(*Continued on page 6*)

Edmund Grainger Republic Producer

HOLLYWOOD, Dec. 1.—Edmund Grainger has been signed by M. J. Siegel, president of Republic Productions, to a three-year contract as a producer. He will join Republic at once. His appointment is in line with the company's intention to offer competition for "A" playing time, Siegel said.

Grainger, son of James R. Grainger, Republic Pictures president, and nephew of Edmund C. Grainger, head of the Shea circuit, was a producer 10 years with 20th Century-Fox and Universal, and last year with Warners.

'Twelfth Night' On Broadway Tonight

The Chekhov Theatre Players' production of the Shakespeare comedy, "Twelfth Night," begins a limited engagement at the Little Theatre tonight, after which the company will resume its road tour. The play, directed by Michael Chekhov and George Shdanoff, has in its cast Beatrice Straight, John Flynn, Sam Schatz, Mary Lou Taylor and others.

'Pulham' Opens in Boston Tomorrow

BOSTON, Dec. 1.—The world premiere of M-G-M's "H. M. Pulham, Esq." based on the novel of the same name by John P. Marquand, will be held at the Loew's State and Orpheum, Wednesday evening. Both Robert Young, the star, and John P. Marquand, author, will make personal appearances at the theatres.

Heads Milwaukee Club

MILWAUKEE, Dec. 1.—R. W. Baker, Paramount, is the president of the newly organized Reel Fellows Club of Milwaukee composed of film salesmen in the Milwaukee exchange territory. G. W. Edgerton, 20th Century-Fox, is secretary-treasurer.

Personal Mention

GEORGE J. SCHAEFER, president of RKO, returned yesterday from the Coast.

•

NICHOLAS M. SCHENCK, president of Loew's, Inc., returned to the home office yesterday from Hollywood.

•

PHIL REISMAN, foreign head for RKO, is back at the home office.

•

MAX MILDER, Warners managing director in Great Britain, is scheduled to leave Lisbon Dec. 18 by clipper for New York.

•

SAM WOOD is expected today from Hollywood.

•

TED ABER, manager of the Paramount, and ZENA COOPERSMITH, have set Dec. 28 for their wedding.

•

MIKE WOLFISH of Philadelphia has left for Buffalo.

•

NED S. SECKLER, RKO manager in Puerto Rico, has left for San Juan.

•

LOUIS DAVIDSON is the father of a daughter, born to MRS. DAVIDSON at Woman's Hospital.

MATTHEW W. FOX, vice-president of Universal, is in town from the Coast.

•

STANTON GRIFFIS and AUSTIN KEOUGH have returned from a visit to the Paramount studio.

•

MORT BLUMENSTOCK and A. W. SCHWALBERG of Warners have returned from a visit to a number of key cities.

•

JAMES P. CUNNINGHAM, news editor of *Motion Picture Herald,* is the father of a daughter, weighing eight pounds, born to MRS. CUNNINGHAM at Westchester Square Hospital, on Sunday. The baby has been named NANCY.

•

MARVIN SCHENCK left Hollywood yesterday for New York.

•

FRED CALDWELL, projectionist at the Avenue, Philadelphia, and RUTH Morris were married last week.

•

BEN ROSENTHAL, Columbia booker in Philadelphia, is back at his duties after an appendectomy.

'Fire' Previewed In New Rochelle

Samuel Goldwyn's new production, "Ball of Fire," was previewed last night at the RKO New Rochelle, with RKO officials and trade press representatives in attendance.

A. C. Exhibitor Dies

ATLANTIC CITY, Dec. 1.—Services were held here yesterday for Earl H. Wiernik, 51, operator of the local Lyric, who died last Thursday at the Naval Hospital, Philadelphia, following an illness of many months. He is survived by his wife, Gertrude.

Train Mishap Delays N.Y. MGM Delegates

Chicago, Dec. 1.—The home office delegation to the M-G-M meeting here reached Chicago four hours late but just in time for the Saturday afternoon session which began at 3:30 P.M. A misdirected flare, thrown on the track in front of the Twentieth Century Limited near Buffalo, caused the engineer to lock the brakes, putting the train out of commission. The New York delegates were forced out of their staterooms and into a hastily assembled slow train at Buffalo.

Dallas Variety Club Headed by Griffith

DALLAS, Dec. 1.—R. E. Griffith has been elected chief barker of the Variety Club here, succeeding Paul Short. Other officers are: Claude Ezell, first assistant; W. G. Underwood, second assistant; Ted Deboer dough guy; John Q. Adams, property master; Ed Rowley, S. L. Oakley Ben Ferguson, Herman Biersdorf, Joe Jack, Justin McInaney, R. J. O'Donnell and Short, canvasmen; J. O. Cherry and Burt King, clowns; Jacob Lutzer and B. C. Gibson, alternates.

New officers will be inducted Dec. 15. The report of Short showed 438 members, and that the club paid off $14,000 debt for a swimming pool and $5,000 in other charitable obligations. Also, $14,000 was spent to operate Camp R. E. Griffith, where 698 underprivileged boys spent Summer vacations on 600 acres donated by Griffith.

Kann's Mother Dies At 77 of Pneumonia

Mrs. Bertha Kann, 77, mother of Maurice Kann, editor of *Boxoffice* died yesterday at Post Graduate Hospital of pneumonia. Funeral services will be private. Also surviving are three other sons, George E., manager Loew's Willard, Woodside, L. I.; Solly and Benjamin, the latter of Boston; two sisters and two brothers.

B. & K. Party Dec. 12

CHICAGO, Dec. 1. — The annual Christmas dinner dance given by the Balaban & Katz Employes' Club will be held at the Stevens Hotel on Dec. 12.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CARY GRANT . JOAN FONTAINE
"SUSPICION"
An RKO-RADIO Picture
ON THE GREAT STAGE: "NICE GOING"
—Leonidoff's gay spectacular revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

CLAUDETTE COLBERT
RAY MILLAND
BRIAN AHERNE
in Paramount's
"SKYLARK"
IN PERSON
HARRY JAMES
AND BAND
Extra: RAY BOLGER
PARAMOUNT Times Square

BARBARA STANWYCK • HENRY FONDA
'YOU BELONG TO ME'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
Starts Tomorrow
'THE MALTESE FALCON'
Humphrey Bogart—Mary Astor
and
'MARRY THE BOSS'S DAUGHTER'

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

★ ★



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TO
LOS ANGELES

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THE PLAINSMAN	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	5:25 pm 2:55 am 9:47 am
THE SOUTHERNER	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	10:55 pm 8:52 am 4:02 pm
THE SUN COUNTRY SPECIAL	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	6:30 am 4:58 pm 1:26 am

For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center; Airlines Terminal, 42nd Street at Park Avenue; Lobby, Hotel New Yorker.

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Clearance Verdict In Jersey Upheld By Appeals Board

A reduction to seven days of the 21-day clearance of the Cort Theatre, Somerville, N. J., over the Raritan Playhouse, Raritan, N. J., by Paul L. Fitzpatrick, arbitrator, at the New York local board in September, was upheld on appeal in a decision handed down yesterday by the Appeal Board.

The original award, however, set seven days as the maximum "availability" for the Playhouse after the Cort, and the appeals board modified it by making the award read "clearance" instead of availability.

Of the original award, the board said: "The arbitrator filed an able analysis of the evidence. His findings are amply supported by the record. His conclusions from these findings are well reasoned and persuasive. We concur with him that seven days is a reasonable clearance between the Cort and the Playhouse."

The complaint involved Loew's, Paramount, Vitagraph and 20th Century-Fox, and the appeal was taken by the intervenor, Sompru Theatre Co., operator of the Cort. Costs were divided equally among the parties involved.

Four Buffalo Complaints

Four complaints were filed yesterday in Buffalo, all on phases of some run and clearance. They are: Ryan's Ithaca Theatre, Ithaca, naming the Strand, State and Temple theatres, on some run and clearance; Clyde Playhouse, Clyde, naming Schine's Capital, Newark, and the Ohman, Lyons, on clearance; Cuba Theatre, Cuba, charging the State, Palace and Haven, Olean, are favored, and the Astor Theatre, naming the New Family, Batavia. All consenting companies are named in all complaints, except 20th Century-Fox in the Batavia action.

Dallas Case Dismissed

A complaint dismissed at Dallas was the clearance case of B. R. McLendon, operator of the Texan and State theatres, Atlanta, Tex., against Loew's, RKO, 20th Century-Fox and Vitagraph. The Paramount-Richards' Strand and Paramount Theatres at Texarkana, Tex., were named as interested parties and the case attracted wide attention when E. V. Richards, head of Paramount-Richards Theatres, refused to submit to the proceeding. J. B. Adone was arbitrator.

Murphy Named Aide To Braden at AAA

James J. Murphy, former regional director for motion picture tribunals West of the Mississippi for the American Arbitration Association, yesterday was appointed assistant to the executive director, J. Noble Braden, and will be in charge of all tribunals throughout the country.

Samuel S. Perry, former Eastern regional director of the film tribunals, has been named a regional director of the AAA's defense program and will handle general commercial and industrial disputes.

The AA also announced that Harold D. Conners, St. Louis attorney, has been named clerk of the local board in that city, succeeding C. W. Hudson, resigned.

Reviews

"Ball of Fire"

(Samuel Goldwyn-RKO)

SAMUEL GOLDWYN has compounded a highly entertaining motion picture from a comic romance which embodies as implausible a collection of characters and incidents as playwrights are likely to devise for as competent a producer in this or any other year.

It provides Gary Cooper with a role which theatregoers will compare with the best of his comedy portrayals, that of a young professor who is compiling a section on American slang for a new encyclopedia on which he is working with seven other professors. In his search for the latest in slang he is brought into contact with Barbara Stanwyck, as Sugarpuss O'Shea, night club singer, at the moment at which she is forced to hide out from the police to avoid questioning in the case involving the demise of a gangster.

Her boy friend is suspected of being a factor in the case. She takes refuge in the professional sanctum, maintained by a charitable foundation. In the four days she spends in the place engaged in aiding Cooper in his research work in slang, love blossoms and the guns of gangdom are unable to keep them apart thereafter.

A numerous and uniformly excellent cast contribute rich humor, moments of sentiment, incidents of suspense and even excitement, but never quite succeed in making themselves or their freak lives entirely plausible. However, the result is one that should provide a full measure of entertainment for all audiences and with it, profit for the exhibitor. Outstanding is Howard Hawks' direction, the performances of Cooper and Miss Stanwyck, those of Richard Hayden, as the gangster; Dan Duryea and Ralph Peters as his aides, Allen Jenkins and the six professors.

Running time, 107 mins. "G."* SHERWIN A. KANE

"The Body Disappears"

(Warners)

THE novelty of bodies dissolving on the screen through the use of camera tricks is employed in "The Body Disappears," and the film is dependent to a large degree on that device for its comedy.

The general production effort is creditable, especially in the amusing performances of Edward Everett Horton and Willie Best. Jeffrey Lynn and Jane Wyman are the top names in the cast. Lynn's is the body of the title and although heard a good deal he is seldom seen. D. Ross Lederman directed, Bryan Foy was associate producer and Ben Stoloff associate producer.

The yarn is light but serves adequately, telling of the college professor (Horton), whose serum restores life to the dead, and his experiences with the wealthy benedict-to-be (Lynn). The patient, who at the outset was intoxicated and not dead, is revived but suddenly disappears. He thereupon goes about as the invisible man, learns that his fiance is interested only in his wealth, meets the professor's daughter (Miss Wyman), and romance blossoms.

Horton, who must administer an antidote within a certain time to Lynn, is suspected by his colleagues of suffering a mental disturbance and is taken to an institution. Lynn and Miss Wyman, who also takes it in the arm and is unseen thereafter, release him after some harum-scarum sequences. Horton proves his sanity and the efficacy of his serum when Lynn and Miss Wyman are returned to physical being. Best is Horton's frightened assistant.

Running time, 72 minutes. "G."* EUGENE ARNEEL

"Sealed Lips"

(Universal)

Hollywood, Dec. 1

FRESHNESS of idea distinguishes this melodrama of crime, detection and journalism from the welter of product exploiting these three institutions of topical melodrama. Seed of the story is a situation, suspected at the start of the picture and verified subsequently, which has a notorious gangster who is completing a prison sentence turn out to be in fact a double coerced into serving the time for the criminal, who has continued his nefarious activities meanwhile without interruption from the police. The idea is worked out adroitly with such angles as fingerprinting and other expedients of identification effectively taken care of.

Players in the film are John Litel, doubling as gangster and prisoner, William Gargan as the detective, June Clyde as the girl reporter, Anne Nagel, Mary Gordon, Ralf Harolde, Joe Crehan, Addison Richards, Russell Hicks, Ed Stanley and many others rounding out a cast which performs ably for the most part, but shakily in some instances.

George Waggner, accountable for the original screenplay from which the film derives its chief strength, also directed the picture. Jack Bernhard was associate producer.

Running time, 62 minutes. "G"* ROSCOE WILLIAMS

**"G" denotes general classification.*

B'way Weekend Is Strong; 'Suspicion,' 'Flying' Out Front

The new Abbott and Costello comedy, "Keep 'Em Flying," at the Criterion, is repeating the box-office performance of their previous screen effort, "In the Navy." Leading the Broadway parade, the picture brought an estimated $17,900 since its opening Wednesday, through Sunday. This is about equal to the "In the Navy" business.

Broadway generally had a good weekend with holdover films dominating. Three pictures are now in a second week will be held over for a third. These are "Skylark" at the Paramount, "Suspicion" at the Radio City Music Hall, and "They Died With Their Boots On" at the Strand. "How Green Was My Valley" at the Rivoli goes into a sixth week tomorrow, while "Swamp Water" starts a fourth week Saturday at the Globe.

'Purchase' Opens Dec. 31

The Paramount has already set its New Year's Eve show. The show, which is the first ever to open on Dec. 31, will include the Bob Hope-Vera Zorina musical, "Louisiana Purchase," with Gene Krupa's band on the stage.

"Suspicion" with a stage show drew an estimated $57,000 Thursday through Sunday and starts its third week Thursday. "They Died With Their Boots On" with Woody Herman's orchestra grossed an estimated $24,600 Thursday through Sunday and also starts a third week Thursday. The second week of "Skylark" with Harry James' orchestra and Ray Bolger ends tonight with an estimated $43,000 expected.

'Belong to Me' Big

A new film, Columbia's "You Belong To Me" with a stage show at the Roxy, went over big with an estimated $26,800 for its first three days beginning Friday. The picture will play only one week in spite of this, to be succeeded on Friday by "Rise and Shine."

"How Green Was My Valley" garnered an estimated $13,600 Friday through Sunday. The Saturday and Sunday business at the Globe with "Swamp Water" amounted to an estimated $3,800. "A Date With the Falcon" finished a week's run at the Rialto with an estimated $4,200 and was replaced yesterday by "A Kid from Kansas."

The Music Hall has booked Columbia's "The Men in Her Life," starring Loretta Young, to open Dec. 11.

Frosch Will Head Club in Twin Cities

MINNEAPOLIS, Dec. 1.—Maitland Frosch succeeeds Ben Blotcky as chief barker of the Variety Club of the Twin Cities. M. Frank McCormick is first assistant, Arthur Anderson second assistant, Charles Rubinstein treasurer, and Lowell Kaplan secretary.

Directors are the officers and Max Torodor, William Elson, W. A. Steffes, Blocky, Eddie Ruben, Ben Berger, Roy Miller and Paul H. Mans. Induction is planned for about the middle of December. Retiring officers will make their final reports at that time.

COLOSSAL! Terrific! SMASHO

ORPHEUM, ST. PAUL
225% of
Previous Abbott & Costello Openings!

"Rough and tumble... should tickle almost anyone's ribs!"
—Bosley Crowther, N. Y. Times

PALACE, STAMFORD
170% of
Previous Abbott & Costello Openings!

"...Another natural!"
—Daily Variety
"Will make money!"
—Hollywood Reporter

FOX, DETROIT
150% of
Previous Abbott & Costello Openings!

"Outrageously funny... Abbott and Costello teriffic!"
—William Boehnel, World-Telegram

INDIANA, INDIANAPOLIS
165% of
Previous Abbott & Costello Openings!

"Fast and funny ... one laugh after another!"
—Rose Pelswick, Journal-American

PALACE, LAWRENCE, MASS.
155% of
Previous Abbott & Costello Openings!

CIVIC, PORTLAND, ME.
215% of
Previous Abbott & Costello Openings!

"A wild comedy ... continual laughter!"
—Eileen Creelman, N. Y. Sun

"Hilarious!"
—Howard Barnes, Herald Tribune



BUD ABBOTT and LOU COSTELLO in
"KEEP 'EM FLYING"
with
MARTHA RAYE • CAROL BRUCE
WILLIAM GARGAN • DICK FORAN
CHARLES LANG • SIX HITS
Screenplay by True Boardman, Nat Perrin, John Grant
Original Story by Edmund L. Hartmann
Directed by ARTHUR LUBIN • Associate Producer GLENN TRYON
A UNIVERSAL PICTURE

KEITH'S, DAYTON
120% of
Previous Abbott & Costello Openings!

"Profitable attraction." —Variety
"Certain to send grosses zooming!"
—Showmen's Trade Review

UNIVERSAL'S CHRISTMAS GIFT TO

TUPENDOUS! Take your choice!

BROADWAY, PORTLAND, ORE.
275% of Previous Abbott & Costello Openings!

"Reaches the stratosphere for comedy ...It's tops!" —Harold Conrad, B'klyn Eagle

STRAND, BINGHAMTON
160% of Previous Abbott & Costello Openings!

STATE NEW BEDFORD
210% of Previous Abbott & Costello Openings!

MAJESTIC, PROVIDENCE
130% of Previous Abbott & Costello Openings!

"Costello is the funniest comedian since Chaplin." —Film Daily

"He is in a class by himself!" —Archer Winsten, N. Y. Post

"One of the funniest comics that ever lived!" —Lee Mortimer, Daily Mirror

EITH'S, DAYTON
125% of Previous Abbott & Costello Openings!

"The answer to a box-office prayer!" —Motion Picture Herald

"Score another for Universal!" —Motion Picture Daily

UPTOWN, KANSAS CITY
153% of Previous Abbott & Costello Openings!

RIVOLI, TOLEDO
150% of Previous Abbott & Costello Openings!

"CAPACITY CROWDS to 2:30 A. M." —Astor Theatre, Reading, Pa.



DAILY NEWS, SUNDAY, NOVEMBER 27, 1941

Abbott and Costello Pack the Criterion

Lou Costello and Bud Abbott share top honors with Martha Raye in the Loew's Criterion comedy, "Keep 'Em Flying."

By KATE CAMERON.

"Keep 'Em Flying," Universal picture directed by Arthur Lubin. Screen play by True Boardman, Nat Perrin and John Grant from story by Edmund L. Hartman. Presented at Loew's Criterion Theatre. Running time 1 hour 26 minutes.

THE CAST

Buckie Benson	Bud Abbott
Heathcliff	Lou Costello
Gloria	Martha Raye
Barbara	Carol Bruce
Linda Joyce	Dick Foran
Jinx Roberts	William Gargan
Chris Morrison	Charles Lang
Jimmy Johnson	Truman Bradley
Butch	William Davidson
Connie	Lorina Smith
Major Barstow	

Abbott and Costello are just what the doctor ordered for the Criterion Theatre, as Universal's comedians have given that house a hypo with "Keep 'Em Flying," that has sent its box office receipts soaring.

In this, their third service picture and fourth starring production for Universal, the ex-burlesquers are giving the Criterion's patrons a great many laughs for their money.

What a RAVE from the New York Daily News!

AMERICA'S EXHIBITORS! Now Dating!

Counsel Make Final Pleas in Crescent Case

(Continued from page 1)

tant to the U. S. Attorney General today filed the Government's reply brief to the defendant exhibitors' brief, and announced the reply brief to defendant distributors' brief, filed Nov. 25, would be filed Dec. 10. Judge Davies has announced he hopes to render a verdict by the last week of December.

Wright today charged both defendant distributors and exhibitors with being at fault in the elimination of independent competition.

Charges 'One-Way Deal'

He described as "strictly a one way proposition" the alleged practice of distributors in negotiating for film contracts with independent exhibitors at the same time they were negotiating with Crescent for a circuit deal to include the towns in which the independents operated.

"The distributor," Wright said, "has everything to gain and nothing to lose by holding out the hope of a film contract to the independent when actually there is no hope if the distributor and the circuit get together."

Willard McKay, counsel for the Schine Circuit, whose anti-trust trial is expected to begin in February, was present for the arguments.

Raftery's Argument

Edward C. Raftery, president of United Artists and counsel for U. A. and Universal, insisted that a film franchise, per se, is a legal instrument.

The distributor, he said, has a real stake in making a franchise. A franchise may assure an outlet for films and it may help a distributor to establish an exhibitor in a position against another exhibitor, he said. The distributor, he said, wants to contract for more than a year's product.

Declaring the Government was attacking merely the right of selection of customers, Raftery asserted U.A.'s output was only five per cent of the total films produced by the eight majors and asked, "How could we be a party even to substantial restraint of interstate trade?"

Arguments Based on Briefs

The arguments of Raftery and J. D. Mosby, of Nashville, also of U.A. and Universal counsel, were almost exclusively based on their brief filed last week.

Mosby declared that "time and time again" independents admitted on the stand that Universal and U.A. sold them films on satisfactory terms. U.A.'s 63 and 71-situation blanket deals with Crescent, he said, were made for "perfectly proper commercial reasons."

Two cases of alleged discrimination by U.A. and one by Universal brought the comment from Mosby that these "isolated, sporadic and doubtful cases can't be sued either to set up intent to conspire or conspiracy."

Allen A. Dobey delivered the longer argument on behalf of the Government. He commented that the defense in the course of the trial had dismissed as "Tennessee horse trading" evidence of alleged Crescent practices in acquiring theatres. "They were not horse trading," Dobey said, "because Crescent could afford to operate at a loss in any situation up to three years. They possessed circuit buying power in the contracting for films, and the independent exhibitors could get only those pictures the defendents did not want."

The Government's reply brief stated that exhibitor defendants "concede that they have intentionally monopolized exhibition in a wide area" and declared, "the result of this elimination, a collection of affiliated theatre-operating monopolies in over 55 towns, is not open to dispute, although the defendants seriously urge that this method of arbitrarily fixing the price and character of the only motion picture entertainment available to more than a quarter of a million people is outside the reach of the Federal anti-monopoly statute."

Congressman Demands Withdrawal of Garbo Film

(Continued from page 1)

duction of the film "must be considered as an affront to the Congress of the United States."

The column, "In the News," in the New York *Journal-American*, which is understood to reflect the personal opinion of William Randolph Hearst, yesterday was devoted to the controversy. The editorial declares that there is no reason why films should be made that are subject to criticism, calls "indecency the last refuge of incompetence," and scores the screen additionally for the alleged misrepresentation of newspaper people on the screen.

The Catholic Interest Committee of the Knights of Columbus in Manhattan and the Bronx has protested against the film and denounced it as degrading entertainment. The New York State Council, K. of C., has protested to Will Hays.

Ohio, N. Y. Approve

The Ohio censor board passed the film with the elimination of only one line of dialogue, while the New York State censor board approved it without change. Irwin Esmond, New York's censor chief, declared no changes were deemed necessary.

The Providence *Journal* censured the police censor there for using Legion ratings as a basis for banning the film, and called for revision of the censorship system in Providence. Declaring that a degree of censorship is necessary, the paper urged that police power no longer be exercised on the basis of the opinion of a "sectarian organization." The newspaper proposes a panel of representative members of the community, upon which the police inspectors can call before arriving at a decision in the case of a doubtful film.

A statement condemning the film was read in all Catholic churches in Indianapolis on Sunday, on orders of the Archbishop of the local diocese, and similar action was taken in churches in the Richmond diocese. In Newark the Archdiocesan Federation of Holy Name Societies adopted a resolution directing members to contact theatre managers to voice the organization's protest against the film. The film has not yet been shown in Newark.

The city motion picture commission in Milwaukee scrutinized the film closely, and ordered a portion deleted, but did not prevent the film opening at the Fox Wisconsin late last week. Exhibitors there have agreed to the request of Mayor Carl F. Zeidler that the commission be permitted to see doubtful films before they are shown to the public.

Denounced in Philadelphia

The Archdiocese in Philadelphia will take no official notice of protests against the film, which was denounced —but approved—by the Pennsylvania censor board. The film was denounced by some of the clergy on Sunday.

At the regular monthly meeting of Methodist ministers in Philadelphia, Rev. T. W. McKinney of Germantown denounced the distribution of heralds in local churches by the Orpheum Theatre urging attendance at the film, "One Foot in Heaven," charging it is a subterfuge to induce church people to attend the theatre. However, no resolution was adopted, and only a reference was made to the Garbo picture.

Lord's Day Alliance Seeks Ban on Revues

In a resolution adopted at the 53rd annual meeting of the Lord's Day Alliance of the United States, Mayor F. H. La Guardia was requested to close variety revue shows in New York, which the organization branded as "obscene, vulgar and perniciously poisonous and a menace to national defense."

Pathe Film Dissolved

ALBANY, Dec. 1.—Pathe Film Corp. has filed papers of voluntary dissolution with the Secretary of State. The move followed competition of a deal with Du Pont Film Mfg. Co.

Art Direction Award Committee Is Named

HOLLYWOOD, Dec. 1.—Bette Davis, president of the Academy of Motion Picture Arts and Sciences, has named a committee of art directors to consider rules to govern the awards for achievement in art direction.

The committee includes: Bertram Teitelbaum, chairman; Lionel Banks, McClure Capps, Ernst Fegte, Danny Hall, Al Herman, Russell Kimball, Richard Riedel, Stanley Rogers, Joseph Wright, and Gordon S. Mitchell, manager of the Academy technical bureau.

Jane Withers Injured

HOLLYWOOD, Dec. 1.—Jane Withers suffered a brain concussion and lacerations today when she tripped and fell, necessitating her withdrawal from "Not for Children," 20th Century-Fox film, for at least a week.

Goldwyn Signs Ruth

Babe Ruth has been signed by Samuel Goldwyn to play himself in the forthcoming Goldwyn production, "The Life of Lou Gehrig."

M-G-M's 'Virginian' To Have Premiere In Lynchburg, Va.

(Continued from page 1)

becomes Eastern division chief, succeeding Connors.

Rodgers plans to remain here until tomorrow for conferences with district managers. He said he plans to return here for the all-industry unity meeting Dec. 9.

M-G-M's percentage policy is meeting with approval of exhibitors, Rodgers stated. He said that his experience has proved that once the basis for percentage is established with the exhibitor, he favors the sliding scale plan because it makes him more or less an M-G-M "partner," cashing in on the bigger profits if the picture is successful and having to pay a lower percentage if it is not.

Quebec Church Ban On 'Theatre' Music

OTTAWA, Dec. 1.—Cardinal Villeneuve on Saturday issued an edict banning the playing or singing in Roman Catholic institutions in Quebec Diocese of music "composed in a profane style, or which is reminiscent of theatre motifs."

The edict was based on the report of the Diocesan Sacred Music Commission, and the announcement stated that all colleges, convents, schools and other diocesan institutions must abide by the report of the commission.

Prohibited selections are: Wagner's "Lohengrin Wedding March"; Mendelsohn's Wedding March from "A Midsummer Night's Dream"; Schubert's "Ave Maria"; Faure's "The Palms"; Granier's "Hosanna"; Gounod's "Nazareth"; Verdi's "Agnus Dei"; and "Le Crucifix."

Say Minn. Law Fails To Help Exhibitors

(Continued from page 1)

appears their policy, at least for the present, to exact the last pound of flesh from the independent exhibitor and, so far as Minnesota is concerned, to punish him for resistance to the consent decree and for having exercised his right to enact legislation in his behalf."

He charged Universal, along with consenting companies, with asking "exorbitant rentals," but praised Columbia and Republic for their policies which, he said, have earned them the good will of Minnesota exhibitors.

Chase, Rubin to Speak At N. Y. U. Film Fete

Chancellor Harry Woodburn Chase of New York University will speak at the tea next Friday which will inaugurate the university's four-year course in motion pictures. J. Robert Rubin, vice-president of M-G-M, will reply for the motion picture industry. Among those expected to be present are Barney Balaban, Austin Keough, Joseph Hazen and Bertram Block.

Shorts Premiere Today

A distinguished audience is expected at Fefe's Monte Carlo today for the premiere of Warners' shorts featuring the Ballet Russe.

Osborne in Tribute To New Camp Shows

Brigadier General Frederick, Osborn, chief of the Morale Branch of the United States Army, commenting on the entertainment prepared for the armed services by the USO-Camp Shows, Inc., said, "The combined forces of America's entertainment industry have accomplished a tremendous task which will go far to keep morale high."

Equity Disturbed at Camp Ban on 'Eileen'

(*Continued from page* 1)

the closing, and that this should be remedied promptly.

Saying that he had received information that another reason for the closing had been a question about "the moral tone" of the play, Dullzell pointed out that it has been playing for a year on Broadway, a road company is operating and another is in the process of organization. "A further ironical comment on this objection," said Dullzell, "is furnished by the fact that the New York City School Theatre Program set up by Alfred Harding, Equity's editor, who also worked with Bert Lytell on the army entertainment program, is this very afternoon offering 'My Sister Eileen' to 900 high school students at the request of the schools themselves."

Lawrence Phillips, executive vice-president of Camp Shows, denied flatly that any censorship by his own organization or the Army was involved. He said the play required a two-story set which some camp theatres could not accommodate and it was decided to substitute another play.

New York City Drops Television Set Tax

In response to a request from FCC Chairman James L. Fly, New York City has decided to drop the collection of the $2 monthly tax on television receivers in public places. A court test was pending but it probably will be dropped, too. Fly made his appeal to the city on the basis of "public service" and in the interest of an infant industry.

Bickel Funeral Sunday

RACINE, WIS., Dec. 1.—Funeral services will be held here Sunday for John F. Bickel, father of Fredric March, who died last week at the home of a daughter in Centralia, Wash. Besides March and Mrs. George Ripley, Bickel is survived by two other sons, Harold L. Bickel, Los Angeles, and John Bickel, Syracuse.

Rites for Mrs. Hoyme

PHILADELPHIA, Dec. 1.—Funeral services were held Saturday for Mrs. Vera B. Hoyme, for the past 17 years receptionist in the offices of the Warner theatres circuit here.

E. J. Callahan Dies

CINCINNATI, Dec. 1.—Edmund J. Callahan, 63, veteran stage hand, died last night from blood poisoning following the amputation of his leg due to accident at the RKO Shubert in April.

Illinois Allied to Use Air To Promote Attendance

CHICAGO, Dec. 1.—Allied Theatres of Illinois will sponsor a radio program as a promotional move to increase attendance at the members' theatres, according to Jack Kirsch, president of the organization. The plan, presented at a recent meeting, was described by Allied members as a step in the right direction for the institutional merchandising of the theatre.

It will be a paid program, the plan calling for all Allied theatres here to share in the cost. Complete details probably will be worked out at the next general meeting.

"For the first time," Kirsch said, "we plan to sell theatre seats, which are merely saleable merchandise, by using radio—the theatre's natural enemy."

The show will be under the direction of Harry K. Smythe of the Craig Dennison agency, and it is planned to use one hour a day, six days a week, over Chicago's new radio station WAIT, with Bill Anson, a popular Chicago radio entertainer, as master of ceremonies. It will embrace music, film reviews, Hollywood gossip, and promotional features designed to produce box-office demand. A complete selling campaign to merchandise Allied Theatres is planned as part of the new radio show.

Members of Allied will participate in the show at their own discretion, but it is reported that with the opening broadcast, on or about Dec. 15, the idea will have practically 100 per cent Allied representation.

Ascap's Distribution Down to $2,700,000

(*Continued from page* 1)

writer-members desired it. Billy Rose, the producer, supported Buck while Saul Bornstein, president of Irving Berlin, Inc., explained that the publishers wanted a "business man's" administration. Election of officers has been postponed to April.

Buck appointed a 12-man board consisting of six publisher members of the board of directors and three each of writers and publishers from the general membership to consider resolutions and suggestions for reclassification of memberships and methods of fund distribution. Most prominent of these is the "Edgar Leslie Plan," a method which proposes that payments to writer-members on the basis of ratings be cut 50 per cent, with the other half paid on the basis of the number of radio performances of the writer's compositions.

Davis to Preside at Dinner for Murrow

Elmer Davis, CBS news analyst, will preside tonight at a dinner given by William S. Paley, CBS president, to Edward R. Murrow, chief of the network's European staff, at the Waldorf-Astoria. Murrow returned recently from London.

A one-hour broadcast, starting at 9:30, will originate at the dinner. Murrow, Paley, Davis, Archibald MacLeish, chief librarian of the Library of Congress, and William L. Shirer, former CBS correspondent in Berlin and now news commentator here, will speak. There will also be a dramatic sketch on the subject of freedom of speech. Among those expected will attend will be Leon Henderson, James L. Fly, Alfred E. Smith, Lt. Gov. Charles Poletti, Most Rev. J. Francis A. McIntyre, Newbold Morris, Paul B. West, Kent Cooper, Joseph V. Connolly, Hugh Baillie and Robert Sherwood.

To Use Orchestra At Buffalo Theatre

BUFFALO, Dec. 1.—Robert T. Murphy, manager of the Twentieth Century Theatre, has announced the theatre will install a full-time orchestra Dec. 18. Musicians, with Meyer Balsom as director, have been signed for 10 weeks and, according to Murphy, their contracts will be renewed.

The new musical unit is planning a Christmas festival piece as an overture to "Dumbo" opening Dec. 18.

Gossage Elected by AFM Local in Ottawa

OTTAWA, Dec. 1.—Harry Gossage has been reelected president of Local 180 of the American Federation of Musicians for the seventh year.

Other officers elected by the musicians here are: vice-president, Don Lyon; secretary, Fred Muhlig; treasurer, Vivian Snowdon, and executive members, Albert Mittlestadt, Dirk Keetbass, Charles Wimperis.

Restrict Carnivals In Milwaukee Bill

MILWAUKEE, Dec. 1.—Local exhibitors are watching a proposed carnival ordinance now before the Common Council's Judiciary Committee, which would assess a fee scale from $25 a day for the smaller carnivals to $150 per day for the larger shows.

The proposed measure would further prohibit barking, loud speakers and other noises after 10 P.M. and no permit could be issued without approval in advance of at least 75 per cent of the residents within a 500-foot radius of the carnival site.

Revocation of the permit is provided for in event of non-compliance with city regulations. A bond must be posted to cover possible damages.

Cincinnati Club Party For 1,500 Children

CINCINNATI, Dec. 1.—Approximately 1,500 children are expected to attend the annual Christmas party to be given for wards of various childrens' institutions by the local Variety Club, at the suburban RKO Orpheum, Dec. 24. Transportation will be provided to and from the theatre, where a special picture will be screened, a stage show presented, and each child given toys, candy and fruit.

To Manage KMYC

MARYSVILLE, Calif., Dec. 1.—Harry E. Browne has resigned as manager of the State Theatre here to become manager of KMYC, local radio station. Browne formerly managed motion picture houses in San Jose and Palo Alto.

FCC Sees Test of Color Television

The full FCC membership yesterday saw a color television demonstration here by NBC. Color was received on a standard size receiver and a somewhat larger model simultaneously with black and white on the two sets for comparison.

When commercial television was authorized last Spring, it was done with instructions to the licensees to prepare a report on color for Jan. 1. Yesterday's visit was to inspect the progress made, although both the FCC and the industry are apparently in agreement that color should not be standardized at this time.

NBC Shifts Strotz To Coast Operations

(*Continued from page* 1)

Coast operations, will be placed in charge of public relations there. A. E. Nelson, assistant vice-president stationed in San Francisco, will continue in his present post under the direction and supervision of Strotz. All appointments will become effective January 1.

Strotz joined NBC in Chicago in 1933 as manager of the program and artists' service department. He became vice-president in charge of the Central division in 1939, succeeding Trammell who was then named executive vice-president, and was made vice-president in charge of programs shortly after Trammell was elected president.

Phila. Club to Give Paralysis Aid Fund

PHILADELPHIA, Dec. 1.—Highlight of the sixth annual Variety Club banquet on Dec. 14 will be the presentation of $4,000 by retiring Chief Barker Earle W. Sweigert to Dr. Herbert Stoddard, superintendent of public schools, to be used to expedite and partially support medical work among spastic cases of infantile paralysis.

A check for $1,000 to the Willis Martin Hospital to be used in spastic work for paralytics will be presented Wednesday by the Ladies Auxiliary of the Variety Club at a luncheon. At the speakers table will be Dr. Walter C. Cornell, director of public schools; Dr. G. S. Mendelhall, director of the Martin Hospital; Frank L. MacNamee, of the Infantile Paralysis Committee; James P. Clark, Democratic city chairman; Chief Barker Earle W. Sweigert and Jay Emanuel.

RMA to Meet in Chicago

Paul V. Galvin, president of the Radio Manufacturers Association, has called a directors meeting for Thursday at the Stevens Hotels, Chicago, to consider national defense cooperation, priorities and similar problems.

Sues Abbott and Costello

NBC, Bud Abbott and Lou Costello, Standard Brands, Inc., and J. Walter Thompson Co. were named defendants yesterday in a plagiarism suit filed in U. S. District Court by Barney Gerard.

SHE'S THE SWEETHEART OF THE FLEET







SHE'S A **HONEY!**

SHE'S A **LULU!**

SHE'S THE QUEEN OF **HONOLULU!**

She rocks the screen in this rhythm-roaring battle of gobs, gags and gals!



LUPE

VELEZ

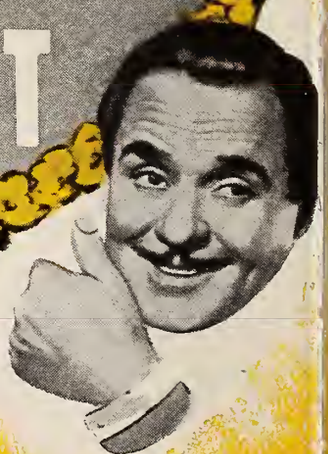
HONOLULU

Leo CARRILLO · Bruce BENNETT

Screen play by Eliot Gibbons & Paul Yawitz · Directed by CHARLES BARTON

Produced by WALLACE MacDONALD

A COLUMBIA PICTURE



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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 109 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 3, 1941 TEN CENTS

RCA Theatre Television Off For Emergency

Defense Technical Needs Hinder Installation

RCA, which demonstrated large reen theatre television to the m industry last May, has virtuly abandoned plans for installaon of these receivers in theatres uring the period of the emerncy, it was said yesterday.

The principal reason given was the lack of engineering talent required for such installations. Most engineers are vitally needed in defense work, it was pointed out, and it is difficult to obtain a sufficient number even for existing services.

Other factors named were the lack f materials because of defense prior-

(*Continued on page 8*)

Taplinger Leaves WB Publicity Post

Robert S. Taplinger yesterday anounced his resignation as Warners' ational publicity manager, the resigation to become effective within 10 ays. No successor was announced.

Taplinger said he expected to anounce his future plans within a few ays. It has been reported that he ill return to the Coast. He was ransferred to New York several veeks ago after having served as tudio publicity director since 1937.

In connection with the resignation, . L. Warner, vice-president in charge f production, now in New York, aid: "Bob Taplinger leaves us carying with him our high esteem and ur very best wishes for his future. He has made a fine record in the notion picture industry in the past our years. Good luck to him."

Name Winners in 20th-Fox Contest

All-expense, two-week vacations for two at Sun Valley, Idaho, were awarded yesterday to the five winners of the 20th Century-Fox nationwide "Sun Valley Serenade" showmanship contest. The judges met at Toots Shor's restaurant.

The five winners are: Dan Terrell, Loew's Palace, Washington; Herman Kersken, Fox Theatre, San Fran-

(*Continued on page 5*)

Nick Dean Is Held In Bail of $25,000; Pleads Not Guilty

Nick Dean, also known as Nick Cirella, a former representative of George E. Browne when the latter was IATSE president, was held in $25,000 bail yesterday by Federal Judge Henry W. Goddard. Dean interposed a plea of not guilty to the extortion indictment returned against him and Louis Kaufman, business agent of the Newark operators' local of the IA, in which Browne and William Bioff are also named as co-conspirators although the latter two were not named in this indictment.

U. S. Attorney Mathias F. Correa asked Judge Goddard to stipulate that union funds were not to be used for the posting of bail, as was done in the case of the $50,000 bail for Browne and Bioff and Dean's attorney agreed. Up to the time of closing of court yesterday, the bail had not been posted.

At Correa's request, the trial date was set for Jan. 6 but it was indicated later that there is little likelihood that the U. S. Attorney will be ready to proceed on that date.

Song Renewal Right Vested in Publisher

The U. S. Circuit Court of Appeals yesterday in a test suit ruled that the renewal rights to a song copyright are vested in a publishing house which employed a composer rather than the composer himself. The court upheld a decision of Federal Judge Grover C. Moscowitz which awarded renewal rights to the song, "Come, Josephine," to the plaintiff, Shapiro, Bernstein & Co., as against the composers, Fred

(*Continued on page 8*)

Bergman Represents Ampa at Unity Meet

Maurice A. Bergman has been designated by Ampa as its representative at the all-industry unity conference in Chicago Dec. 9, it was announced yesterday. Allied States agreed to Ampa's request to be represented at the meeting.

Nathanson Handles M-G-M Canada Sales

CHICAGO, Dec. 2.—"In recent months we have established our own distributing office in Canada, and the leasing of M-G-M product throughout the Dominion will be under the supervision of Henry L. Nathanson, our Canadian general manager," William F. Rodgers, M-G-M vice-president and general sales manager, said here today.

The Canadian territory formerly was supervised by Thomas J. Connors, Eastern, Southern and Canadian sales manager, who is joining 20th Century-Fox.

1,000 Attend CBS Dinner to Murrow

More than one thousand notables of the worlds of films, art, the press, music, radio, labor, industry and government were guests of William S. Paley and CBS last night at a gala dinner in honor of Edward R. Murrow, chief of European staff of CBS, at the Hotel Waldorf-Astoria last night.

The program was broadcast over

(*Continued on page 8*)

Censor in NY Bans Only 8 Films in Year

4 Later Approved; Total Of Cuts Down to 503

By RICHARD J. CONNERS

ALBANY, Dec. 2.—Only eight films were banned in their entirety, of 1,702 reviewed by the Division of Motion Pictures of the N. Y. State Education Department (censor board) during the year ended June 30, last, according to the report of Irwin Esmond, director, filed with Commissioner of Education Ernest E. Cole.

Of the eight banned, four were later licensed after revision. In the previous year 1,762 were reviewed, of which nine were banned, with three later licensed after revision. The reduction in the total of films reviewed was ascribed to the 177 fewer foreign-made pictures shown, those dropping from 488 to 311.

In the more recent year, 503 eliminations of scenes, subtitles and dialogue were ordered in 68 films on statutory grounds, compared with 926

(*Continued on page 6*)

Denies William Fox Bid to Change Plea

PHILADELPHIA, Dec. 2.—Permission to change his plea of guilty to not guilty on charges of conspiracy to obstruct justice and defraud the United States was denied William Fox today by Federal Judge Guy K. Bard in Federal Court here today.

The judge also denied a petition to reconsider Fox's sentence, and Fox continues under bail until his appeal is heard by the United States Circuit Court of Appeals. United States Attorney Gerald A. Gleeson, who said he was acting under instructions from Attorney General Biddle, joined in the

(*Continued on page 5*)

Six Reviews Today

"All Through the Night," "You're in the Army Now," "Steel Against the Sky," Page 4; "The Vanishing Virginian," Page 5; "Babes on Broadway," "Dr. Kildare's Victory," Page 6.

Decree Takes Industry Out Of Judiciary, Court Hears

By JOHN SHUMAKER

NASHVILLE, Dec. 2.—By entering the consent decree, the Government sacrificed any principles of law it may have had in its anti-trust actions against the motion picture industry, W. H. Mitchell of Florence, Ala., counsel for some of the defendants, charged today in final arguments in the Crescent Amusement Co. anti-trust action.

"The consent decree takes the industry entirely out of the realm of the judiciary," declared Mitchell. He

(*Continued on page 8*)

Radio Music Fees Frozen in Canada

TORONTO, Dec. 2.—Harry Sedgwick, representing the Canadian Association of Broadcasters, announced tonight that a settlement had been reached with the Canadian Performing Rights Society and BMI of Canada for continuance of the 1941 license fees next year.

The royalties will be maintained at

(*Continued on page 8*)

Maybe He's AWOL

Philadelphia, Dec. 2

IT happened to Samuel Rosen, Monogram branch manager. Sending the film, "Sergeant Mulligan," to Indiantown Gap to be shown for the soldiers there, he sent the following telegram: "Have baggage checked. Sergeant Mulligan to Lebanon. Please pick up." He received a reply from one of the commanding officers at the camp which read: "We have no Sergeant Mulligan stationed here."

'Woman' Shown for St. Louis Officials

ST. LOUIS, Dec. 2.—A screening of M-G-M's "Two-Faced Woman," shrouded in secrecy, was held here tonight for Prosecuting Attorney James P. Finnegan and civic leaders, including Mrs. Jacob M. Lashly, president of the Better Films Council. Reporters were barred and no one would comment, although a conference of officials was held after the screening. Newspapers are carrying large advertisements announcing the film's opening at Loew's State on Thursday.

Garbo Film Boycott Is Asked in Albany

ALBANY, Dec. 2.—The *Albany Evangelist,* Catholic weekly of the local diocese, this week editorially called for a boycott of "Two Faced Woman," Greta Garbo vehicle.

Referring to the Legion of Decency's condemnation of the picture, Father Kelly, diocesan director of the Legion here, is quoted as favoring it.

Goldenson, Dembow To Southern Meet

Leonard Goldenson and Sam Dembow, Paramount home office theatre executives, will leave for New Orleans after the meeting of Paramount Northern and Western theatre associates at the Blackstone Hotel in Chicago today.

In New Orleans they will meet with E. V. Richards, head of Saenger Amusement Co., and Leon Netter, home office executive, who has been in the Southwest on business.

Selznick, Goldwyn To Coast Friday

Mr. and Mrs. David O. Selznick and Mrs. and Mrs. Samuel Goldwyn, it is reported, will leave New York on Friday for the Coast. Returning with Selznick will be Whitney Bolton, his advertising and publicity director, and others in his party. The group will occupy a special car, according to report, which will be attached to the *City of Los Angeles* streamliner at Chicago.

Canadian Exhibitor Dies

TORONTO, Dec. 2.—Fred Guest, 77, pioneer theatre owner of Hamilton Ont., and Vancouver, died at Hamilton after an illness of some weeks. During the past few months he had sold his Stanley Theatre in Vancouver to Famous Players and three Hamilton houses to M. A. Milligan, former Canadian general manager of Paramount Film Service.

Personal Mention

HARRY M. KALMINE, LEONARD SCHLESINGER and HARRY GOLDBERG are expected today from Albany.

•

MOREY MARCUS, newly appointed United Artists general manager for China, will sail for Shanghai this week on the new *President Polk.*

•

DAVID ROSE, Paramount managing director for Great Britain, is scheduled to arrive here Monday on the *Exeter.* He plans to spend the holidays with his family on the Coast.

•

JOHN KIRBY and JACK TRICE of the Paramount Atlanta exchange were in Miami this week.

•

GLADYS ROCKS of National Theatre Supply Co., New Haven, is ill.

GRADWELL L. SEARS, delayed in his scheduled departure for the Coast, plans to leave Friday.

•

CLARENCE M. TURLEY, executive of the St. Louis Amusement Co., has been elected president of the St. Louis Real Estate Exchange for next year.

•

ROBERT GOLDSTEIN of WMCA has left the hospital after a tonsil operation.

•

EUGENE J. EMMEL, formerly with Comerford and now with Pathe Film, and WINIFRED LOUISE MURRAY were married recently in Scranton.

•

WILLIAM F. KNOTT, Philadelphia, and MARTHA MUNCIE have announced their engagement.

Ask Consultation on Canadian Film Edicts

TORONTO, Dec. 2.—President J. J. Fitzgibbons of Famous Players Canadian Corp. has come out with the suggestion to the Dominion Government that the Federal authorities should confer with representatives of the film industry in Canada before putting into effect any more orders affecting the business.

This declaration was made in connection with a discussion regarding the new regulations which have placed a "ceiling" on all theatre admission prices for the duration of the war and have pegged the salaries of certain employes, provision being made for a bonus system governed by departmental statistics showing the cost-of-living trend.

Officers Installed By Cincinnati Club

CINCINNATI, Dec. 2.—Approximately 100 barkers and guests attended the Variety Club installation dinner in the club's quarters last night, at which F. W. Huss was inducted into office as chief barker.

Others were: Andrew Niedenthal, first assistant, and William Davaney, second assistant; Saul M. Greenberg, property master, and Peter Niland, dough guy. Judge Carl W. Rich, of the Probate Court, was toastmaster.

William Onie, retiring chief barker, was presented with a set of silver, and Ralph Kinsler, former dough guy, was given a gold pen and pencil set.

Variety Club Heads Ampa Honor Guests

The Variety Clubs and their national leaders, John H. Harris of Pittsburgh and R. J. O'Donnell of Dallas, will be honored by Ampa at a luncheon meeting at the Hotel Edison, Dec. 11.

Harris and O'Donnell have been asked to tell of the work of the Variety Clubs in benefiting underprivileged children. Others active in Variety Club work also are scheduled to speak.

A. W. Ensminger Dies

BUFFALO, Dec. 2.—Austin W. Ensminger, 48, owner of the Riel, Colonial and Colombia theatres here, died yesterday. He was connected with the theatre business here for 16 years. Funeral services will be held from his home Thursday.

Rep. Heads in Atlanta On Franchise Deal

James R. Grainger, Republic president, Herbert J. Yates and Meyer Lavenstein are in Atlanta completing final details for the purchase by the company of Arthur Bromberg's franchise in the Southern territory, it was announced yesterday. Before returning to New York later this week they will meet with branch managers from Atlanta, Tampa, Memphis, Charlotte and New Orleans.

Grainger announced yesterday that he had completed deals for 1941-'42 product with the Minnesota Amusement Co. of Minneapolis and the Lichtman circuit in Washington and Virginia. Gilbert Nathanson, Minnesota franchise owner, assisted Grainger in negotiations with John Friedl of the Minnesota Amusement Co. Jake Flax, Washington franchise owner, assisted Grainger in setting the deal with A. E. Lichtman.

Hanson President of Canadian Pioneers

TORONTO, Dec. 2.—O. R. Hanson, former associate of N. L. Nathanson, has been elected president of the Canadian Picture Pioneers for 1942 by the directors at a special meeting subsequent to the annual general meeting. Hanson succeeds Clair Hague, the first president. The vice-president is S. B. Taube and the secretary-treasurer is Ray Lewis. J. P. O'Loghlin retired from the post of secretary because of ill health.

The new board of directors comprises Ben Cronk, Charles J. Mavety, Jack Arthur, Ed Wells, Harry Alexander, Leo Devaney and Archie Laurie.

Council of Equity Adopts 'Reds' Bar

The Actors Equity Council yesterday accepted an amendment to the organization's constitution which would bar any member of un-American groups or their sympathizers from holding office or being employed by Equity. The amendment will be submitted to the next membership meeting on Jan. 9.

59 in Armed Forces

PHILADELPHIA, Dec. 2.—A recapitulation shows that 59 members of the Warner Theatres circuit here have joined the armed forces.

Newsreel Parade

THE U. S.-Japanese crisis is the leading subject in the midweek issues. The Army vs. Navy football game highlights the sports material. The reels and their contents follow:

MOVIETONE NEWS, No. 25—Japan's representatives in Washington; British preparedness in Singapore. Roosevelt at Warm Springs, Ga. Livestock show in Chicago. Toy roundup in New York. New cathedral in New York. Alpine regimen at Fort Lewis, Wash. Army plays Navy on gridiron.

NEWS OF THE DAY, No. 223—Roosevelt studies crisis. Livestock show in Chicago. Planes for R. A. F. in Long Beach, Cal. New cathedral in New York. Army vs. Navy football game.

PARAMOUNT NEWS, No. 28—Navy mosquito boats in New York harbor. Livestock show in Chicago. Mass tank production in Eddystone, Pa. New U. S. embassy in Rio; new military academy in Rezende, Brazil. New cathedral in New York. Toy collections in New York. President leaves Warm Springs for Washington. Navy vs. Army football game.

RKO PATHE NEWS, No. 28—Navy-Army football. Mountain troops at Fort Lewis, Wash. New York's new cathedral. Australian troops in Malay jungle. Chicago livestock show. Toys gathered in New York.

UNIVERSAL NEWSREEL, No. 37—Roosevelt in Warm Springs. Japanese representatives in Washington. Australian troops in Malaya. Mountain troops in Washington. R. A. F. planes leave Long Beach, Cal. Navy's new "PT" boats in New York. Livestock in Chicago. Toy round-up in New York. Toyland parade in Philadelphia. Navy vs. Army, football.

Five Coast Delegates To Industry Meeting

LOS ANGELES, Dec. 2.—Five delegates will represent the Pacific Coast Conference of Independent Theatre Owners at the Allied States-sponsored unity meeting in Chicago on Dec. 9, it was announced here today. The delegation will include Robert H. Poole, executive secretary; Jack Y. Berman, Los Angeles; L. O. Lukan, Seattle; Robert White, Portland, and H. V. Harvey, San Francisco.

Set N. H. Dinner Plans

NEW HAVEN, Dec. 2.—George H. Wilkinson, Jr., general chairman of the first annual motion picture dinner-dance, sponsored by Connecticut MPTO and scheduled for Dec. 9 at the Hotel Taft, announces the completion of arrangements.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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TALK ABOUT NEW YEARS!



"How about celebrating the holiday at a nice HISTORICAL picture?"



"There's also an interesting PROBLEM picture we could go to."



"I guess I know what you want! Something gay, peppy, with music!"



"Of course! The best of them all! Mickey Rooney, Judy Garland in 'Babes on Broadway'!"



Above: *The rousing 24-sheet shouts its gay message!*

400 Prints for Happy Holiday Bookings!



The first trade show of "Babes on Broadway" confirms everything you've heard! The news is sweeping every Film Row like wildfire! A fortune in receipts, a fortune in patron joy awaits 400 lucky theatres at New Years! Be friendly to your public with The Friendly Company's "Babes on Broadway!"

12 New Films Finished; 43 Now in Work

HOLLYWOOD, Dec. 2.—Forty-three pictures were before the cameras this week, as 12 were finished and 11 were started. Twenty-six are being prepared, and 68 are being edited.

The tally by studio:

Columbia

In Work: "Trinidad," "Martin Eden," "Shut My Big Mouth."
Started: "After the Alamo."

Korda (U. A.)

In Work: "To Be or Not to Be."

M-G-M

Finished: "Born to Sing," "We Were Dancing."
In Work: "Out of the Past," "I'll Take Manila," "Rio Rita," "Mrs. Miniver," "I Married an Angel."
Started: "Tortilla Flat," "This Time for Keeps."

Monogram

Finished: "Forbidden Trail."
Started: "Thunder River Feud."

Paramount

Finished: "True to the Army."
In Work: "Holiday Inn," "Mr. and Mrs. Cugat," "My Favorite Blonde," "American Empire," "I Live on Danger," "Out of the Frying Pan," "This Gun for Hire."
Started: "The Palm Beach Story," "Take a Letter, Darling."

RKO

Finished: "The Falcon Takes Over," "Syncopation."
In Work: "Lum and Abner No. 2," "Power Town," "The Mayor of 44th Street," "The Tuttles of Tahiti," "The Magnificent Ambersons."

Republic

Started: "Pardon My Stripes," "Cowboy Serenade," "Man from Cheyenne."

Roach (U. A.)

Finished: "Brooklyn Orchid."

20th Century-Fox

Finished: "A Gentleman at Heart."
In Work: "Not for Children," "Tales of Manhattan," "You Can't Always Tell," "Song of the Islands," "Roxie Hart," "To The Shores of Tripoli."
Started: "Moontide."

Universal

Finished: "Mississippi Gambler," "The Wolf Man," "Temporary Bride."
In Work: "Tough as They Come."
Started: "Temporarily Yours."

Warners

Finished: "Always in My Heart."
In Work: "In This Our Life," "Larceny, Inc.," "Juke Girl," "Arsenic and Old Lace."

3 Companies Formed

ALBANY, Dec. 2.—Three new companies have been formed here. They are: Lindenhurst Theatre Co., Inc., Bay Shore, L. I., by Sylvia Goodman, Lillian Dinney and Loretta Brown; International Artists, Inc., New York, by Harry G. Kosch and others, and Park-Circle Theatre, Inc., New York, by Clare Monosson, Adeline Kaplan and Stella Dyke.

Heads Phila. RCA Office

PHILADELPHIA, Dec. 2.—Ken P. Haywood has been placed in charge of a service office opened here for the first time by RCA Photophone.

Reviews

"All Through the Night"

(Warners)

Hollywood, Dec. 2

A MELODRAMA of the moment, with violence, murders, fights, plots, counter-plots, mugs, thugs, and, finally, Nazi fifth columnists, this Jerry Wald production directed by Vincent Sherman presents Humphrey Bogart as a New York racketeer who becomes a front-page hero by turning his underworld talents and associates to the business of outfitting saboteurs who plot to sink an American battleship on New York's doorstep. The picture has a world of gusto, a wealth of complications, lengths of slang dialogue and a maximum of conflict and struggle.

Seen with Bogart are Conrad Veidt as the Nazi chieftain, Kaaren Verne as a girl in his power, Jane Darwell, Frank McHugh, Peter Lorre, Judith Anderson, William Demarest, Jackie C. Gleason, Phil Silvers, Wally Ford, Barton MacLane, Ed Brophy and a dozen other dependables.

The Nazi aspect is come upon about midway in the screenplay by Leonard Spiegelgass and Edwin Gilbert, from a story by Spiegelgass and Leonard Q. Ross, although its work has complicated the hero's existence prior to that. It's a neat trick of development and goes far toward offsetting a running-time which requires a lot of story.

Not to be confused with the everyday anti-Nazi film, nor the everyday metropolitan gangster melodrama, the production is timely, off the beaten track and is fast, save for some speeches.

Running time, 105 minutes. "G."* ROSCOE WILLIAMS

"You're In the Army Now"

(Warners)

TWO more zanies, this time Jimmy Durante and Phil Silvers, find themselves enrolled in the U. S. Army and make a shambles of discipline and regulations with their antics. It is all good fun of the tried and true slapstick variety and should please the cash customers, although the comedy bogs down on occasion.

Mainly, though, the slapstick keeps moving along and includes such items as the rookie losing his clothes because they are too large; a tank running wild with Durante at the controls; an innocent visit to the target end of a rifle range; a house being dragged through the streets by a tank while the occupants think an earthquake has struck; the same house teetering on the edge of a cliff after an accidental explosion of shells has blasted away the foundation; officers trying to make speeches after a rookie has dropped alum in the lemonade; salesmen littering up the house in an effort to sell vacuum cleaners, and similar items all done before but still good for laughs.

There is little to the plot. Durante and Silvers, two salesmen, try to sell a recruiting sergeant a cleaner, but wind up as enlistees. They find Jane Wyman as the colonel's daughter (Donald McBride is the colonel) and she asks their aid to convince her father to submit to mechanization of his outfit. Both Miss Wyman and Durante are heard in songs. Others in the cast include Regis Toomey, George Meeker, Joseph Sawyer and William Haade. Lewis Seiler deserves credit for the direction so ably suited to a comedy of this type. Ben Stoloff was associate producer.

Running time, 79 minutes. "G."* EDWARD GREIF

"Steel Against the Sky"

(Warners)

ANOTHER in a series of productions extolling the exploits of those whose dangerous day-by-day labor makes modern-day civilization possible. "Steel Against the Sky" tells the tale of men who build bridges. In it, A. Edward Sutherland, who directed, scores a smash climax with a sequence showing what happens when a derrick breaks loose on top a half-completed bridge during a driving snow storm.

The fury of the winds, the danger lurking in every step on the ice-coated girders and the tremendous force of the loose derrick swinging in the gale are presented with breath-taking dramatic impact and are likely to be remembered as one of best sequences of its kind.

Unfortunately, however, some weak comedy makes up the early part of the film and prevents the plot from getting off to a faster start. The story concerns itself with three brothers, Lloyd Nolan, Edward Brophy and Craig Stevens, who live with their crippled father, Edward Ellis, and follow the trade he taught them, bridge building. Stevens, the youngest, is not of much account until he falls in love with Alexis Smith, whom Nolan also loves. Stevens and Nolan vie for her attentions and a serious family quarrel starts, but it is settled during the storm sequence and Stevens wins Miss Smith. Walter Catlett, as a "professor" constantly working on his worthless inventions, is responsible for the comedy. Edmund Grainger was associate producer.

Running time, 68 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

Theatre Changes

Plan Philadelphia Drive-Ins

PHILADELPHIA, Dec. 2.—Two open air theatres, each with a car capacity ranging from 600 to 1,000, will be established here next Spring by the E. M. Loew circuit. Larry Lasky, associate of Loew, was in the city closing real estate deals calling for drive-in to be established in W Philadelphia and the other in the northeast section.

Takes Upstate Houses

ALBANY, Dec. 2.—Mitchell Coner who operates a group of houses Schoharie and Otsego Counties, N. Y has taken over the Casion in Wate town, N. Y., and a house in Gree Island, N. Y., from Victor Bunze.

Chicago Theatre Sold

CHICAGO, Dec. 2.—The Oakle Theatre here has been sold by Leste Retchin to the Bartelstein Bros. cir cuit.

Acquires N. Y. State House

FORT EDWARD, N. Y., Dec. 2.- Harry Lamont, independent operato with theatres at Hudson, Greenvill Athens and Berlin, N. Y., has take over the Bradley Theatre here.

Buy California Theatre

WALNUT GROVE, Cal., Dec. 2.- Hazel M. Gilbert and Ray E. Harvey have bought the Walnut Grov Theatre from Harriet Harvey.

Shift Connecticut Managers

NEW HAVEN, Dec. 2.—Nat Rubin former assistant at the Loew-Po here, has been named manager of th new Lyric, Bridgeport, Conn. Fran Manente, former student assistant a the Loew-Poli, has been promoted t assistant and Herbert Coleman of th Bijou has taken Manente's place a the Loew-Poli.

Named Exploitation Manager

SAN FRANCISCO, Dec. 2.—Richar Romo of the Fox Theatre advertisin staff has been made exploitation man ager of the Warfield. Both are Fox West Coast Theaters.

Named Assistant Manager

NORFOLK, Va., Dec. 2.—Olg Gibbs, cashier at the Colonial Thea tre here, has been named assistan manager, succeeding Gerald Trout who has entered the Navy.

Assistant Manager Shifted

YORK, Pa., Dec. 2.—Jerome Van Brackle, assistant manager of War ners' Ritz, has been transferred to th circuit's Capitol here, succeeding Jacl Kinard as assistant to manager Harry Olmstead.

New Theatre Firm

SACRAMENTO, Dec. 2.—Suburban Theatres has incorporated here to operate a California circuit with headquarters in San Francisco. Directors are Robert L. Lippert of Alameda and Leslie M. Kessler and Albert H. Kessler, both of Berkeley.

House Shifts to Duals

ROCHESTER, Dec. 2.—Departing from its long-established one-feature policy, the Little Theatre will show "The Story of the Vatican" and "The Adventures of Chico" next week.

Pizor in Complaint; Dismiss D.C. Case

An arbitration complaint on clearance was filed at the Philadelphia arbitration board by Lewen Pizor, exhibitor organization leader, on behalf of his Tioga Theatre, yesterday, while a Washington complaint was dismissed and one was withdrawn in Chicago.

Second Complaint

Pizor filed a clearance complaint last July on behalf of the Tioga, naming Warners, Paramount and 20th Century-Fox, which was subsequently withdrawn, following a reported settlement. The new clearance complaint names only Paramount and charges that the distributor ordinarily gives the competing Warner Strand 30 to 60 days clearance over the Tioga. It asks an award fixing the maximum clearance of the Strand at 14 days over the Tioga. The Keystone and Great Northern theatres are named as interested parties.

The Chicago case withdrawn was that of the Ogden Theatre, operated by Ben Cooney and Harold McFarland. It named all five consenting companies and alleged unreasonable clearance in favor of the Marshall Square Theatre. A settlement was reported to have been reached.

Linden Loses Case

At Washington, Milton W. King, arbitrator, dismissed the clearance complaint of the Linden Theatre, Baltimore, against Warners, Paramount and RKO, holding that the plaintiff had failed to uphold his contention that the 14 days clearance granted the Met Theatre over the Linden is unreasonable. James Hayes and Robert Sher, former assistants to the U. S. Attorney General, who aided in the drafting of the consent decree, were counsel for the plaintiff in the case.

Walsh Asks 702 Be Named at Para. Lab

Richard F. Walsh, IATSE president, has written Barney Balaban, Paramount president, asking that Laboratory Technicians Union, Local 702 of the IA, be recognized as the collective bargaining agency at Paramount's Long Island laboratory, it was learned yesterday. At present, the company has an agreement with an independent union which does not expire until April 30.

Denies William Fox Bid to Change Plea

(*Continued from page* 1)

request made yesterday by Fox's counsel.

Fox was sentenced recently to a year and a day and a fine of $3,000 on the conspiracy charges. He was the leading witness against J. Warren Davis, resigned U. S. Circuit judge, during a recent trial on similar charges. After two disagreements, the indictment against Davis was quashed.

Schenck Appeal to Be Argued Today

Appeals from judgments of conviction on income tax evasion charges in the cases of Joseph M. Schenck and Joseph H. Moskowitz will be argued in the U. S. Circuit Court of Appeals here today.

Review

"The Vanishing Virginian"

(M-G-M)

HERE is a picture of unusual charm; the charm of friendly, civilized people and their kindly way of life; the nostalgic charm of beliefs, traditions and loyalties of the days that are past but whose passing has enriched and endeared them in the memories of many. And it is a picture which because of its substance, its lack of marquee glamor names and its unrevealing title challenges every exhibitor who plays it to get from it the rich rewards which are there waiting for real showmen. It will pay off only in proportion to the exhibitor's ability to realize what he has in it and to communicate that realization to potential customers. Whatever the effort in this respect, the picture merits it and the exhibitor expending it seems destined to meet pleased patrons and new patrons.

There is in it no story that submits to critical analysis. It is an account of the days and the years of a family of Virginians of a generation ago. The love of the parents, Frank Morgan and Spring Byington, and the long professional career of Morgan as public prosecutor in Lynchburg, Va., provide continuity rather than story and plot.

Despite the absence of an easily recognized, standard plot, the picture is not episodic, at least, no more consciously episodic than everyday life. The family members are well-drawn characters who catch and hold audience interest, who succeed in making you care what happens to them this year and the next and the one after that. Wisely, Frank Borzage's direction has seen to it that not all that happens are high spots. He has caught the uneven tenor of family life, the humdrum as well as the joys, the sorrows and the loves. Yet scenes like the funeral of the old, colored family retainer, a rescue of children at play from an enraged bull, a family gathering on a porch-front at dusk, a reunion after father's defeat at the polls, and many others for their sheer human essence must catch and hold the sentiments of many.

Kathryn Grayson, Natalie Thompson, Juanita Quigley, Scotty Beckett and Dickie Jones are uniformly appealing as the children. Lehigh Whipper, as the colored retainer, does an outstanding characterization. Louise Beavers is good as his wife. Lesser parts are capably handled. Edwin Knopf produced.

Running time, 93 minutes. "G."* SHERWIN A. KANE

**"G" denotes general classification.*

Name Winners in 20th-Fox Contest For 'Sun Valley'

(*Continued from page* 1)

cisco; Jack Matlack, Criterion Theatre, Medford, Ore.; Ray Hendry, Centre Theatre, Salt Lake City, and Lige Brien, Belmar Theatre, Pittsburgh.

Honorable Mentions

Honorable mention was awarded to: Dave Kamsky, Byrd and State theatres, Richmond; Charles Meeker and Walter Henshel, Palace Theatre, Dallas; Sterling Way, Boulder Theatre, Boulder, Col.; David Sablosky, Norris Theatre, Norristown, Pa., and Harold Barnes, Capitol Theatre, Clinton, Ia.

Terrell, Hendry, Brien, Kamsky, Way, Sablosky and Barnes are members of the Managers Round Table of *Motion Picture Herald.*

Judges for the contest were, A-Mike Vogel, *Motion Picture Herald,* Chick Lewis, *Showman's Trade Review,* John Flinn, *Variety,* Sam Shain, MOTION PICTURE DAILY, Maurice Kann, *Boxoffice,* Jack Alicoate, *Film Daily,* and Herb Miller, Jay Emanuel Publications.

20th-Fox Staff Present

Among those present at the luncheon were A. M. Botsford, director of advertising and publicity of 20th Century-Fox and Earl Wingart, Rodney Bush, Roger Ferri, Sid Blumenstock and Stephen L. Freeland of his staff.

B & K Year Rent on Three Houses $50,000

CHICAGO, Dec. 2.—Recording of the leases reveals here that Balaban & Katz will pay a combined annual rental of $50,000 for the Portage, Drake and Admiral theatres, recently taken over from the GCS Circuit. This would make it a $1,000,000 deal over the 20-year period of the lease.

The theatres, which have a total seating capacity of 4,950, will be remodeled, with B & K planning to spend $30,000 on the interiors during 1942. GCS will maintain the fronts of the theatres during the period of the lease, planning to spend $15,000 on them before next June 1.

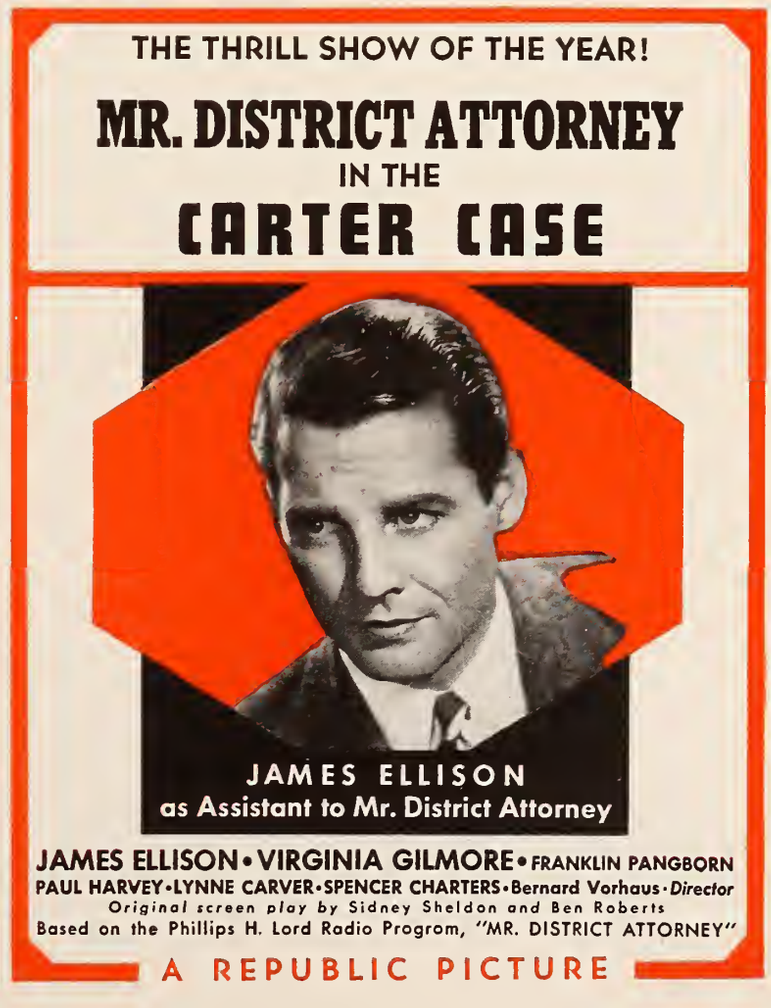
Kozanowski Heads Buffalo Variety Club

BUFFALO, Dec. 2.—Stanley Kozanowski has been elected chief barker of the local Variety Club. Other officers are: Elmer F. Lux, first assistant; Andrew Gibson, second assistant; W. E. J. Martin, secretary-treasurer. Martin was reelected for his seventh consecutive term.

Members of the board include the officers and Murray Whiteman, Matthews V. Sullivan, Jr., Syd Samson, Dewey Michaels, Ralph W. Maw, Irving Fried, and Nicholas J. Basil.

Sarecky Joins Katzman

HOLLYWOOD, Dec. 2.—Barney Sarecky, formerly associate producer for Dixon R. Harwin, releasing through Monogram, today was named production manager for Sam Katzman's Banner Pictures Corp., also releasing through Monogram.



Censor in NY Bans Only 8 Films in Year

(*Continued from page* 1)

eliminations in 111 films the previous year.

Statutory reasons were: indecent, 241; inhuman, 35; tending to incite to crime, 18; immoral or tending to corrupt morals, 195, and sacrilegious, 14.

Reduction in rejections and eliminations was due, Esmond said, in part to frequent conferences between his division and license applicants, as well as with producers and exhibitors, whereby it was possible to suggest a plan of revision of pictures in order to relieve them of objections under the statute.

Record Receipts in Year

Gross receipts of the division for the year ending June 30, 1941, were the greatest in the 20-year history of the censor board. The income totaled $316,095 for the 12 months, as against $311,800 the preceding year. Expenditures were up to $68,418 as contrasted with $63,877, with a net revenue to the state of $247,677 against $247,922 for 1939-'40.

Since the board's inception Aug. 1, 1921, to June 30, 1941, the state has received $4,710,170, expending a total of $1,446,521, with net revenue of $3,263,648. The revenue is derived chiefly from a charge of $3 per reel on originals and $2 per reel on prints.

From 22 Countries

Although foreign pictures dropped sharply, Esmond reported the same number of foreign countries, 22, was represented, although they were not always the same countries. Foreign-made pictures reviewed were from: Great Britain and its possessions, Germany, France, China, Mexico, Czechoslovakia, Poland, Sweden, Hungary, Russia, Italy, Finland, Ireland, Spain, Austria, Argentina, Norway, Cuba, Greece, Palestine, Puerto Rico and Siam.

300 at Screening of Warner Ballet Shorts

"Spanish Fiesta" and "The Gay Parisian," Warner two-reel subjects featuring the Ballet Russe de Monte Carlo, were screened yesterday at Fefe's Monte Carlo for an audience of about 300 persons, including General Eleazer Lopez-Contreras, president of Venezuela; many of New York's Social Registerites, film personalities and the press.

Among those attending were Tamara Toumanova, Mrs. Leonore Warner, Jeffrey Lynn, Monty Woolley, Dorothy Kilgallen, J. Reagan McCrary, Irving Kolodin, Mark Hanna, Mrs. William Randolph Hearst, Jr., Tom Beck, A. G. Vanderbilt, and Lucius Beebe.

Variety Club Elects In Baltimore Tonight

BALTIMORE, Dec. 2. — Baltimore Tent, No. 19, of the Variety Club will hold its annual election of officers tomorrow night. A special party has been arranged for entertainment of the voters.

Reviews

"Babes on Broadway"

(M-G-M)

Hollywood, Dec. 2

WHEN the title-card reading "Mickey Rooney and Judy Garland in——" flashed on the screen of the Alexander Theatre in Glendale the paying guests shrieked their delight. When the next title-card announced "Babes on Broadway" they screamed anticipation of the entertainment to come and settled into their seats in a hush of expectancy. Thereafter they alternated between chuckles, howls, bursts of applause and stretches of restlessness, punctuated by a couple of touches of weeping, indicating by their behavior at the end that a lot of entertainment, perhaps even a bit too much, had been witnessed.

It is a sort of omnibus-type property that M-G-M has fabricated for its No. 1 Star and his No. 10 associate (their rankings in last year's *Motion Picture Herald-Fame* poll) and the picture is, as is typical of its kind, very, very good in the good spots and quite to the contrary in the bad ones. It is great stuff when the entertainers are entertaining individually, dually and collectively, in songs, dances, impersonations and satires, and it is, perhaps in part by contrast, extraordinarily inept in the narrative stretches between these numbers.

The story with which the players are occupied between musical numbers is another variant of the tale about people who want to stage a show but lack funds. Fred Finkelhoffe and Blaine Ryan, who wrote it, devised a number of switches and angles, some good and some hard to take, but whatever virtue or cost there may be in audience recognition can be counted on to manifest itself.

The names, as listed, are Mickey Rooney, Judy Garland, Fay Bainter, Virginia Weidler, Ray McDonald, Richard Quine, Donald Meek, Alexander Woollcott, Luis Alberni, James Gleason, Emma Dunn, Frederick Burton, Cliff Clark and William Post, Jr.

Rooney, top man in a trio which includes McDonald and Quine, supplies half a dozen sparkling sessions of song and dance, topping them and himself with a burlesque of Carmen Miranda which had the customers screaming.

McDonald twice takes over complete command of camera and set, soloing in two dances—one of them interrupted three times by audience applause—which establish him alongside Fred Astair and Ray Bolger.

It is as a musical, of course, that showmen will be exploiting the attraction and in doing so they are warranted in going the limit. They can say, for instance, that the picture contains 15 musical numbers, among them some of the best they've ever seen, and they can promise that Busby Berkeley, director of the picture, has seen it to that all of his past experience in the field of dance direction is reflected in the enterprise.

Produced by Arthur Freed, manifestly with complete liberty as to budget, the picture is strong enough in music and in solo performances to be forgiven its story.

Running time, 118 minutes. "G."* ROSCOE WILLIAMS

"Dr. Kildare's Victory"

(M-G-M)

A NEW love in the person of Ann Ayars enters the life of "Dr. Kildare" to fill the spot made vacant by the "death" of Laraine Day in the previous issue in this series. While it may take some time for Miss Ayars to win the affection in the hearts of the audiences which Miss Day achieved over a period of time and many pictures, Miss Ayars gives every indication that she is entirely capable of filling the spot.

At least for Miss Ayar's first picture in the series, Lew Ayers pays little attention to her wiles, apparently still mourning the death of his former sweetheart. Cast as a debutante glamour girl, Miss Ayars is brought to the hospital with a piece of glass piercing her heart. After a successful operation by Ayers (with Lionel Barrymore on the sidelines explaining what takes place), she has a rapid recovery and promptly falls in love with her doctor.

The picture ranks well up with the rest of the series. A fellow-interne (Robert Sterling) of Kildare's is dismissed for violating a rule which required him to bring Miss Ayars to another hospital because of a territorial division between the two institutions. Sterling plans to go ahead with his marriage to Jean Rogers, a nurse, but the latter is also dismissed when she sends away a patient in observance of the same rule. Finally, Barrymore and Ayers succeed in planting a story of the episode in the newspapers and a more humanitarian rule is effected, together with the reinstatement of Sterling and Miss Rogers. Alma Kruger, Walter Kingsford, Nell Craig, Edward Gargan, Marie Blake, Frank Orth and George H. Reed are among the rest of the cast. Major W. S. Van Dyke II directed.

Running time, 92 minutes. "G."* EDWARD GREIF

** "G" denotes general classification.*

Housewife Matinee

Philadelphia, Dec. 2

LOCAL theatres offer defense worker matinees and children's matinees for the convenience of such patronage, and now the 56th St. Theatre comes forward with "Housewives' Matinees." To enable the housewife to come early and leave early, and still be able to see the whole afternoon show, the new policy calls for the matinees to start at 1 P.M., heretofore starting at 2 P.M. The policy will prevail from Mondays through Fridays.

RKO Annual Drive Will Begin Dec. 2(

The RKO annual billings drive wil be known as the 1942 Ned Depine Drive, and will run for 20 weeks from Dec. 20 to May 8. Depinet i vice-president in charge of distribu tion. Nat Levy, Eastern district man ager, will be drive captain, and witl Harry Gittleson, editor of *Flash* house organ, will start Monday on a tour of exchanges.

Sales Manager A. W. Smith, Jr. Eastern Division Manager Rober Mochrie, Western Division Manage Walter Branson and Canadian Di vision Manager Leo Devaney wil join the trip at intervals during it visit to 38 branches in the Unite States and Canada.. The various dis trict managers also will tour with th captain in their respective territories which include: Northeastern, Gu Schaefer; Eastern Central, Charle Boasberg; Southeastern, Davi Prince; Midwestern, Jack Osserman Prairie, L. E. Goldhammer; Rock Mountain, H. C. Fuller; Western, J H. MacIntyre.

Elliott to Do Jungle Film for Monogran

HOLLYWOOD, Dec. 2.—Clyde E. El liott, producing director of Fran Buck's "Bring 'Em Back Alive," ha signed with Monogram to produce new adventure film in the Sout American wilds.

He will leave shortly for a stay o several months in the jungles o Matto Grosso and the Amazon are He plans to expose about 200,00 feet of film. The picture will trace th adventures of a young man explorin the jungles. The tentative title i "Catch 'Em Alive."

PRC Expands Its Field Sales Forc

The field force of Producers Re leasing Corp. has been expanded b Arthur Greenblatt, general sales man ager. New salesmen appointed are Oliver Wog, Los Angeles; Georg Cooper, Milwaukee; J. B. Cummin Atlanta; J. Brimmer, Omaha; F. Lee, Denver; Mark Ross, Chicago.

A number of new circuit deals i the Midwest, South and East hav been closed, according to Leon From kess, executive vice-president.

Form Producing Firm

SACRAMENTO, Dec. 2.—Capitalize at $200,000, ABC Picture Co. ha been incorporated here to produc motion pictures and television pro grams.

THE WORLDWIDE AUTHORITY ON TALENT VALUES

The eighth annual edition of FAME is now in preparation. Edited by Terry Ramsaye, it will be published about January 1st, 1942, and will analyze and summarize the year's outstanding talent successes. Among its features it will present the box office champions of 1941 with complete analysis and personnel credits . . . the money-making stars of the season, evaluated and reported upon by the exhibitor showmen of the world . . . the radio champions of 1941 as polled by Motion Picture Daily among the editors of the daily newspapers of America . . . Fame and Radio—an analysis of the extent to which the air waves lean on Hollywood for talent.



A QUIGLEY PUBLICATION

FAME

RCA Television in Theatres Off For Defense Emergency

(Continued from page 1)

ity regulations and the lack of any definite interest on the part of the industry. Although there were many discussions with exhibitors during the Spring and early Summer, no agreement was consummated. At the time RCA demonstrated theatre television in May, RCA stated that it had perfected the equipment and would be willing to have those with theatre experience handle the production and exhibition. However, it was understood at that time that RCA would arrange the production details if no others could be found.

Meanwhile, DuMont has a large screen receiver developed. No demonstration for the trade has been arranged, however, and it is understood that none is contemplated at present.

Scophony actually started installation of a large screen set in the Rialto but the installation was never completed and the Rialto recently recovered damages in an arbitration award.

Song Renewal Right Vested in Publisher

(Continued from page 1)

Fisher and Al Bryan and the Fred Fisher Music Co.

"Come, Josephine" was copyrighted in 1910 while Fisher and Bryan were employed by the plaintiff. Both the plaintiff and the defendants in 1938 sought to file a renewal of the copyright, and the conflict led to the suit. Chief Judge Learned Hand overruled the argument of the defendants that Section 23 of the copyright law covering renewal rights granted this right to an employer only when the latter had contributed some of the creative work.

Leo J. Rosett, attorney for the plaintiff, stated yesterday that it was the first determination by a Federal court on the question of ownership renewal rights to a song.

Leaves Canada Circuit

TORONTO, Dec. 2.—M. L. Axler has resigned as supervisor of maintenance with 20th Century Theatres, Toronto, to take over the management of the Victory Theatre in succession to his father, Isidore Axler, who died recently. The theatre is a downtown Toronto unit of the 20th Century chain, affiliated with Famous Players Canadian Corp.

Raise Price for Show

NEW HAVEN, Dec. 2.—For the week's engagement of vaudeville at the Paramount, beginning Friday and featuring Jimmy Lunceford and Bill Robinson, the price schedule has been increased from the usual 40-50 cents to 50-65 cents, including tax. Matinees will be 35 cents to 44 cents, including tax, and children will be 25 cents at all times.

Fishman-Union Deal Set

NEW HAVEN, Dec. 2.—Fishman Theatres, Inc., has signed for three years with operators' Local 273, with increases provided.

Decree Takes Industry Out Of Judiciary, Court Hears

(Continued from page 1)

represents defendants Louis Rosenbaum, Mrs. Nettie Sudekum and Muscle Shoals Theatres.

He attacked the "theoretical question" of Allen A. Dobey of Government counsel in final argument yesterday: "Can an independent buy against a circuit?" Dobey's question, Mitchell said, is a "contractual question."

He maintained that reputable independent exhibitors can and have bought films successfully "against a circuit," and cited the case of his own client, Rosenbaum, who before 1920 moved into a substantial Arkansas town, built a good independent theatre business, and within five years a competing circuit theatre and another independent had left rather than Rosenbaum.

The final arguments, continuing for a second day, made little headway as most of the day was taken up by another proceeding before Federal Judge Elmer Davies, the trial judge.

Universal and United Artists today filed a supplemental brief in which they declared the Government, in its argument yesterday, made no serious effort to controvert any of the distributors' findings of fact, on file since Oct. 15.

"Only by innuendo and assertion of fact without factual basis, from which it draws wholly unjustifiable inferences," the brief declared, "does the Government seek to meet these facts and to establish its theory of liability, whatever that may be.

"It is elementary that difficulty of proof is no substitute for proof; nor do suspicious circumstances constitute proof. Furthermore, the proof as to intent or as to the fact of conspiracy is dependent wholly upon circumstantial evidence."

Stromberg Sets Dividend

ROCHESTER, Dec. 2.—Stromberg-Carlson Radio Co. has resumed dividend payments on the common stock with directors voting 50 cents on that issue. The last dividend on the common was in 1937, when three payments of 12½ cents were made following a like payment in 1936.

WNEW Increases Staff

Two announcers and two engineers have been added by WNEW. The announcers are Bert Wayne, formerly of New England, and Harry Wood, last heard on KYW, Philadelphia. The engineers are Saul Osias and Murray Goldberg.

To London for NBC

Robert St. John, NBC newscaster, will leave by plane for Lisbon Dec. 15 to join Fred Bate's London staff of the network, it was announced yesterday by A. A. Schechter, director of news and special events.

Radio Music Fees Frozen in Canada

(Continued from page 1)

eight cents per receiving set for the Society and one cent a set for BMI, based on coverage of individual stations. The CPRS is an affiliate of Ascap.

It is understood that both music organizations will drop their application to the Copyright Appeal Board for permission to increase the broadcasting fees but will still ask a higher fee for "juke" boxes and portable film projectors.

Sedgwick intimated that the agreement between the radio and music interests was reached voluntarily because of the Government stabilization plan freezing wages, retail prices and theatre admissions, as a war measure.

1,000 Attend Dinner to Murrow

(Continued from page 1)

CBS from 9:30 to 10 P. M. as a special program in place of the regularly scheduled "Report to the Nation." Paley introduced Murrow with tribute to him and all newscasters. Murrow gave his own reflections of the overseas situations. Elmer Davis, CBS news analyst, was toastmaster.

Also on the program were Lily Pons, with Andre Kostelanetz at the piano; William L. Shirer, CBS news analyst; Archibald MacLeish, librarian of Congress, and Kate Smith, with Ted Straeter at the piano. Dinner music was by the Columbia String Ensemble.

Among the guests were Henri Bernstein, Dr. Artur Rodzinski, Herbert Bayard Swope, David O. Selznick, Tom Connors, Sam Shain, Richard Berlin, David Lawrence, Edward J. Flynn and David Dubinsky.

On the dais were: Albert L. Warner, CBS Washington analyst; Joseph V. Connolly, president, King Features; Major George Fielding Eliot, CBS military analyst; John Benson, president, American Association of Advertising Agencies; Kent Cooper, general manager Associated Press; Bishop Francis J. McConnell; Robert E. Sherwood, deputy Coordinator of Information; Newbold Morris, president of the City Council; James Fly, chairman, FCC; Most Rev. Francis A. McIntyre; Alfred E. Smith; Lieutenant Governor Charles Poletti; Edward Klauber, executive vice-president, CBS; Godfrey Haggard, British consul general; Don Francisco, director, Communications Division, Office of the Coordinator of Inter-American Affairs; Paul W. White, CBS director of news broadcasts; Paul B. West, president, Association of National Advertisers; Lyman Bryson; Lindsay Wellington, British Broadcasting Corp.; Rabbi Jonah B. Wise; Hugh Baillie, president, United Press, and Linton Wells.

Letters were received from President Roosevelt, Secretary of State Cordell Hull, and Viscount Halifax, British Ambassador.

Greene, Revel Form Music Unit With BMI

In the first major move to obtain Hollywood song writing talent for BMI, that organization announced yesterday that Mort Greene and Harry Revel have formed a publishing firm in partnership with BMI.

Although the exact stock ownership of the new company, which will be called Greene & Revel, Inc., was not revealed, it is understood that BMI will own 50 per cent, with the remainder divided between the two writers. The company will specialize in the publishing of film scores, although music from other sources will be used.

The move is expected to aid considerably the exploitation of songs from films over the air. The first five songs to be published will be from the RKO picture, "Call Out the Marines." These songs will be "Beware," "Zana Zaranda," "Hands Across the Border," "The Light of My Life Went Out Last Night" and "Call Out the Marines."

Both Ascap Members

Although both Greene and Revel are Ascap members, the radio-music consent decree permits them to grant direct licenses to stations, provided that Ascap receives whatever money is paid for such direct license. The form the arrangement is expected to take is that all Ascap licensees will be permitted to perform the songs under their existing licenses while BMI stations will get direct licenses without charge so that no further payment to Ascap will be required. Since the music of other writers, not necessarily Ascap members, also will be published by the new firm, some of the songs will be exclusively BMI. Promotion offices will be opened in Chicago and New York, as well as Hollywood, it was said.

N. J. Broadcasters Form Association

TRENTON, N. J., Dec. 2.—Officials of a majority of the radio stations in New Jersey have organized the New Jersey Broadcasters Association for the purpose of establishing statewide broadcasting policies regarding defense, governmental, charitable and other programs.

A. Harry Zoog, president of WFPG, Atlantic City, was elected president of the association. Edward Codel, manager of WPAT, Paterson, and O. L. Maxey, manager of WSNJ, Bridgeton, were elected vice-presidents, and Walter Patrick Kelly of WAAT, Jersey City, secretary-treasurer.

The executive board also will comprise John C. Bird of WCAP, Asbury Park, and WBRB, Red Bank George V. Kelly, of WPAT, Paterson; George C. McGinley, of WTTM Trenton, and A. B. Schillin, vice-president of WAAT, Jersey City.

St. Louis House Burns

ST. LOUIS, Dec. 1.—The Maffitt Theatre, third-run house in North St Louis, which has been closed since Sept. 10 because of a dispute with the stagehands' union, was virtually destroyed Saturday morning by a spectacular three-alarm fire. The theatre was extensively remodeled last summer at a cost of $50,000. Fire officials estimated the loss at $40,000.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 110 NEW YORK, U. S. A., THURSDAY, DECEMBER 4, 1941 TEN CENTS

2½% Slash In British Quota Is Proposed

Ratification Expected of Trade Board Plan

LONDON, Dec. 3.—The Board of Trade today proposed a two and one-half per cent reduction in both exhibitor and distributor quotas in an order submitted to Commons. Parliamentary ratification is expected to follow the formal recommendations of the Board of Trade.

The proposed new quota for exhibitors is 15 per cent, as compared with the present 17½ per cent, and the new distributors' quota is 20 per cent, compared with the existing 22½ per cent.

American distributors and others had hoped for a complete waiver of

(*Continued on page 5*)

NBC to Revise Beer Sponsorship Policy

A basic revision of NBC program policies concerning the acceptability of sponsors selling beer or cathartics is in preparation and may be released over the weekend, it was reported yesterday. The revision is expected to state clearly what has already been accomplished in fact—that such business is acceptable.

Some speculation exists, however, on the question of the acceptability of this type of business on NBC's Red network. NBC-Blue has recently accepted business from Ballantine Beer & Ale and Ex-Lax, Inc. Although desirable time on the Red is sold out

(*Continued on page 8*)

Nazi Propaganda Films Toned Down

Ottawa, Dec. 3.—Nazi film propaganda films seized by the British indicate a change in their attitude since the war with Russia began, according to John Grierson, Canadian Film Commissioner. Films of the present campaign show the Nazis have dropped their cocksure attitude of the war on the Western front and that the conflict is now "a grim business."

N.W. Allied to Talk With Sales Heads on Minnesota Problems

MINNEAPOLIS, Dec. 3.—Representatives of Northwest Allied who will attend the all-industry unity meeting in Chicago next Tuesday plan to avail themselves of the opportunity to confer with sales executives of major companies on the serious product shortage and other problems in Minnesota.

Fred Strom, executive secretary of Northwest Allied, and Benjamin Berger, who will head the organization's delegation to the unity meeting, emphasized that the talks to be held with the sales managers who are expected in Chicago will not be officially representative of Northwest Allied but will be a voluntary effort on the part of individual members of the delega-

(*Continued on page 5*)

Taplinger to Col., Harry Cohn Aide

Robert S. Taplinger will become executive assistant to Harry Cohn, Columbia president, under a long-term contract with the company, Columbia announced yesterday.

Taplinger, who announced his resignation as Warners' national publicity director the day before, will make his headquarters at the Columbia studio, where he will report on Monday.

Before coming to the Warner home office several weeks ago, Taplinger was in charge of Warner studio publicity for four years. Prior to that

(*Continued on page 5*)

Theatres Ask Probe Of Demand by Union

The League of New York Theatres has asked State Attorney General Bennett to investigate a demand by the United Scenic Artists of America that a scene painter be employed continuously during the run of a play. The union plans a referendum which would provide such terms in theatre contracts.

The league claims such maintenance men would ask $90 a week minimum. The union claims the work is now done by members of other unions, called an infringement of the scenic artists' jurisdiction.

McCoy Named W.B. Division Manager

Ralph L. McCoy, Warners' Southeastern district manager and Atlanta branch manager, yesterday was named Southern and Midwestern division manager by Benjamin Kalmenson, Warners' sales head. McCoy arrived from Atlanta yesterday to establish his new headquarters at the home office.

Kalmenson announced that Henry Herbel, West Coast district manager, will be given additional duties in that territory, and that W. C. Williamson, Jr., former Warner branch manager at Memphis, has been appointed manager at Atlanta, succeeding McCoy.

Henry Krumm, former salesman at the Dallas branch, was promoted to branch manager at Memphis.

St. Louis, Memphis Pass Garbo Film, Omaha Cuts

St. Louis and Memphis censors yesterday approved M-G-M's "Two-Faced Woman," Greta Garbo picture. The Memphis local censor board, which has been inactive for the past three years, passed the film after requesting a special screening.

In St. Louis, Frank Reller, chief probation officer for the Juvenile Court, approving the film, said the scenes were no more objectionable than those found in most pictures.

Reller was a member of a selected group headed by Prosecuting Attorney James P. Finnegan which saw the picture privately tuesday. Rex Williams, manager of Loew's State, said in a statement that the confidence of

(*Continued on page 8*)

Move for Control of Freelance Writers

HOLLYWOOD, Dec. 3.—Plans to control freelance publicity men and photographers whose output reaches publication without studio inspection will be discussed by the Studio Publicity Directors Committee tomorrow.

A four-page layout in the current edition of *Pic* which depicts a dancing troupe in nightgowns with captions giving the impression that these are film people and the scene a motion picture studio, which it is not, is responsible for the move, it was said.

Full Authority In RKO Given To Schaefer

Conditions Under His New Deal With Company

George J. Schaefer was granted full operating authority over RKO by the company's board, which met yesterday. These conditions are under his new deal with the company. Joseph I. Breen will be the over-all authority on production and the board of directors will hereafter serve as a working board, meeting each week, instead of once a month as heretofore. Floyd Odlum, president of Atlas Corp., attended yesterday's meeting.



George J. Schaefer

This full operating authority was recommended in a report on the com-

(*Continued on page 5*)

Pleas End, Crescent Case Goes to Judge

By JOHN SHUMAKER

NASHVILLE, Dec. 3.—United Artists and Universal Film Exchanges shared the brunt of the Government's closing argument in the Crescent anti-trust case today, as Robert L. Wright, special assistant to the U. S. Attorney General, asked Federal Judge Elmer Davies not to let the two distributors go free.

Judge Davies took the case under advisement this afternoon after a total hearing of nearly eight weeks.

A decree holding both in violation of the Sherman Act should be entered, Wright declared. Columbia, third of the "Little Three" defendants, was dismissed during the trial last Summer.

The Government's case as to Universal and United Artists is admittedly narrow and is based, in the case of U. A., on alleged discrimination at Rogersville Tenn., and Athens, Ala., and 63 and 71-situation deals with Crescent. The Government holds that Universal discriminated in film

(*Continued on page 8*)

Personal Mention

ERNEST KOENIG, formerly manager in France for Universal, and MRS. KOENIG arrived yesterday from Barcelona on the *Magallanes*.

•

BEN KALMENSON and RALPH L. McCOY left last night for Chicago.

•

LEONARD GOLDENSON leaves Chicago today for New Orleans. He is expected back over the weekend.

•

JAMES A. MULVEY will arrive from Florida today after convalescing from a recent illness.

•

WOLFE COHEN, Warners' Canadian district manager, left last night for Toronto.

•

STEVE PALLOS, Alexander Korda's Eastern representative, left for Toronto last night and will go to the Coast from there.

•

ALFRED HITCHCOCK has returned to the Coast with his wife, ALMA REVILLE.

•

JESSE L. LASKY has returned to Hollywood from Missouri.

Defense Booms Film Grosses in Norfolk

NORFOLK, Va., Dec. 3.—Concentration of Army and Navy personnel and defense workers has brought a wave of big business to local film houses, with turnaways more and more frequent this Fall. The Norva smashed a 13-year-old house record Thanksgiving with 6,200 admissions in a single day. Picture was "Birth of the Blues." The old record was established by "Singing Fool."

Para. and F. & M. Set Product Deal

Paramount has closed with Fanchon & Marco for its first two blocks of pictures for first run showing in St. Louis, Charles M. Reagan, Paramount assistant sales manager, announced yesterday. The deal was negotiated by Reagan with Harry C. Arthur, Jr., vice-president of Fanchon & Marco.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats., Sun., Wed. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Review

"Paris Calling"

(Universal)

MELODRAMA concerning the underground activities in France of a group of French patriots whose every effort is designed in opposition to the Nazis, this film has pace, movement and suspense to recommend it as first-rate entertainment.

The implausability of certain situations and the conclusion tend to detract from the effectiveness of the melodrama, but in general the story is well told and well acted. As produced by Benjamin Glazer and directed by Edwin L. Marin, the film has been given ample production values, speed and excitement. Its timeliness, with much made of the "V" for Victory symbol, should be of value in selling the film.

Elizabeth Bergner plays the fiance of Basil Rathbone, Frenchman who turns out to be in league with the Nazis after the occupation of Paris. When her mother is killed in a merciless strafing of French refugees, Miss Bergner joins the underground movement. She meets Randolph Scott, American flier with the RAF, who is left behind in the evacuation of France, and is pursued by the Nazis.

Assigned to trap Rathbone, she contrives to obtain his papers, kills him and escapes to send the information to England via secret short-wave, using piano notes for code transmission. Scott, meanwhile, escapes the Gestapo to come to her aid. An RAF unit of Marines in a transport plane reaches the seaport town in time to effect a rescue of all concerned.

Running time, 95 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

'Pulham' Has Double Opening in Boston

BOSTON, Dec. 3.—The double world premiere of M-G-M's "H. M. Pulham, Esq." was held here tonight at Loew's State and Orpheum theatres following a full day of preliminaries which garnered plenty of space in local papers.

The premiere audience was headed by Governor Saltonstall of Massachusetts. Robert Young, star of the film, and J. P. Marquand, author of the story, made personal appearances at both theatres.

Prominent in the audience, which included Boston's elite, were many members of Harvard's class of 1915, chief objects of Marquand's ridicule in the story. The picture was well received by local critics.

Resume Paper Sale As Writ Is Granted

The seven New York newspapers involved in the newsdealer dispute went back on the stands yesterday as a temporary injunction restraining the Newsdealers Federal Union from continuing its boycott was granted by Supreme Court Justice Edward R. Koch. In granting the application, which was made by Attorney General John J. Bennett, Jr., Justice Koch pointed to evidence which showed that the defendant union represented only between 500 and 1,000 of the 14,000 newsdealers in the city.

Delay Schenck Appeal

Argument on the appeal of Joseph M. Schenck and Joseph H. Moskowitz in their tax cases was postponed yesterday in the U. S. Circuit Court of Appeals until today.

CHANGE TO ALTEC SERVICE
..A CHANGE FOR THE BETTER
ALTEC
SERVICE CORPORATION
250 West 57th Street • New York City

See Mexican Labor Peace with Studios

MEXICO CITY, Dec. 3.—Labor peace seems assured for several of the chief Mexican producer-distributors as they have signed with the National Cinematographic Workers Union along lines similar to those followed by the eight major Americans on Oct. 11, allowing increased salaries and some other benefits, the amount and nature of which are not revealed.

The employers signing this agreement are Grovas and Co., Film Trust, Raul de Anda, Films Mundiales, Iracheta and Elvira, and Lux Films.

These producers-distributors are planning to break away from the Association of Producers and Distributors of Mexican Motion Pictures and form a truly distributors association. Each of them has put up $210 to provide a fund for the new organization which is to begin functioning about the middle of January.

'U' Closes Warner Circuit in Chicago

CHICAGO, Dec. 3.—Universal today closed a new season product deal with Warners Theatres in this area. The deal covers 47 features and all shorts and newsreels for the 55 Warner theatres in Chicago, Indiana and Wisconsin.

Universal was represented in the deal by E. T. Gomersall, M. M. Gottlieb and Barney Rose, and Warners by James Coston and Alex Halperin.

Robud Takes N. J. Theatre

Robud Theatre Corp., headed by Robert Bernhard, son of Joseph Bernhard of Warners, has taken over the Park Theatre, Caldwell, N. J., which was formerly operated by Rapf & Rudin.

Newark Houses to Cinema

Cinema Theatre Corp. is the new operator of the Congress and the Essex Theatres, Newark, formerly operated by Dan Goldbaum.

'Sunny River,' Gordon Show, Opens Tonight

A new operetta, "Sunny River," with book by Oscar Hammerstein and score by Sigmund Romberg, will open tonight at the St. James. Max Gordon is the producer. Among the players are Muriel Angelus, Helen Claire, Robert Lawrence, Tom Ewell, Ethel Levey and Howard Freeman.

Mexican Producers Form New Company

MEXICO CITY, Dec. 3.—Consolidation of their businesses to form one big production company has been started by the principal Mexican producers, Jesus Grovas, a few years ago the local Paramount manager; Mauricio de la Serna, managing director of the Cine Teatro Alameda, one of the leading first run theatres here who has produced successfully on his own account; Miguel Conteras Torres, who with Grovas has just completed "Simon Bolivar", 25-reel biography of the Venezulean patriot; Juan Bustillo Oro, winner of a newspaper medal for the best contribution to Mexican pictures in the past decade; Raphael Sevilla and Miguel Zacarias.

This enterprise plans to make a minimum of 20 pictures a year. It is to be financed by some of the biggest banks here and is expected to start during the Winter.

Mier Plans Three Films

MEXICO CITY, Dec. 3.—Three features are to be started in February by Felipe Mier, former Warner manager here. Mier plans to make about eight features in 1942.

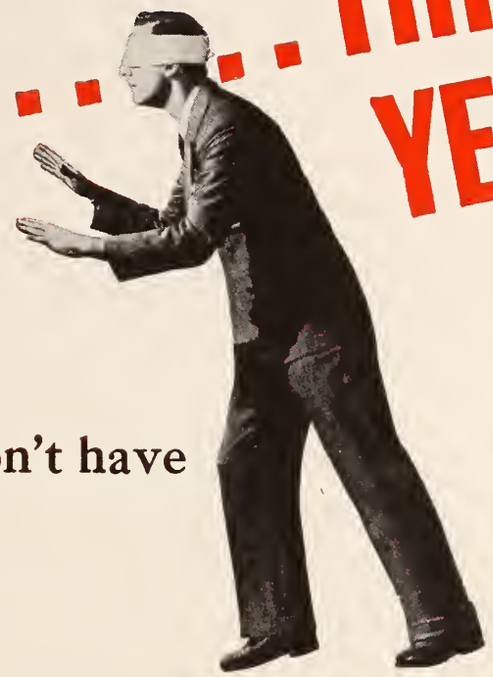
Mexican Union to Open Meet Today

MEXICO CITY, Dec. 3.—The National Cinematographic Workers Union, with 1,000 delegates representing its 45 chapters, is to hold a three-day convention in Torreon, central industrial town, starting tomorrow, to act on resolutions calling for fuller cooperation of the workers with the industry's and Government's program for more and better pictures and the establishment of a bank here adequately to finance the business.

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(Registered U. S. Patent Office)

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YOU CAN TAKE IT OFF . . . . THIS YEAR!



This year you don't have to buy blindfolded for New Years. You don't have to hope that you've booked a hit. This year, you can know!

Because this year—from Warners—you can get "They Died With Their Boots On"—the picture that right now is

OUTGROSSING "DODGE CITY" AND "VIRGINIA CITY" AND "SANTA FE TRAIL" AND "DIVE BOMBER" AND, BROTHER, THAT AIN'T HAY!

Take off the blindfold, Mr. Showman, and grab

"THEY DIED WITH THEIR BOOTS ON"

Warners!

ERROL FLYNN
OLIVIA DeHAVILLAND
in
"THEY DIED WITH THEIR BOOTS ON"
with
ARTHUR KENNEDY • CHARLEY GRAPEWIN
GENE LOCKHART
Directed by **RAOUL WALSH**
Original Screen Play by Wally Kline and Aeneas MacKenzie • Music by Max Steiner

NEW SEASON! NEW BOXOFFICE RECORDS!

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 7	The Stork Pays Off (C) 3036 *M. Rosenbloom* (1941-42)	The Chocolate Soldier (M) 208 *Nelson Eddy Rise Stevens*	Siren of the South Seas (Re-issue) (1941-42)	Birth of the Blues (M) 4109 *Crosby-Martin* (1941-42)	Lone Rider Fights Back 168 (O) *George Houston* (1940-41)	The Devil Pays Off (D) *J. E. Bromberg* (1941-42)	Unexpected Uncle (C) *Chas. Coburn Anne Shirley* (1941-42)	Small Town Deb (C) 217 *Jane Withers Jane Darwell* (1941-42)		Swing It Soldier (C) *Ken Murray F. Langford* (1941-42)	Target for Tonight 109 (1941-42)
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	Unholy Partners (D) 209 *Edw. G. Robinson Edw. Arnold*			Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	I Wake Up Screaming (D) 216 *Grable-Landis* (1941-42)	Miss Polly (C) (Streamliner) *Zasu Pitts* (1941-42)		Blues in the Night (D) 110 *Priscilla Lane Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Shadow of the Thin Man (D) 210 *Wm. Powell Myrna Loy*	Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)	Two-Faced Woman (C) 211 *Garbo-Douglas*	I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)			Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Fiesta (M) *Armida* (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* (1941-42)	
Dec. 5	Sing for Your Supper (C) *Buddy Rogers* (1941-42)	H. M. Pulham, Esq. (D) 212 *Hedy Lamarr Young-Hussey*	Borrowed Hero (D) Lone Star Law Men (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* (1941-42)			Swamp Water (D) 218 *Huston-Brennan* (1941-42)		Sealed Lips (D) *William Gargan* (1941-42)	The Body Disappears (C) 111 *Lynn-Wyman* (1941-42)
Dec. 12	Honolulu Lu (D) *Lupe Velez* (1941-42)	Kathleen (D) 215 *Shirley Temple Herb. Marshall*	Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 (1941-42)	Red River Valley (O) 152 *Roy Rogers* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	The Wolf Man (D) *Claude Rains* (1941-42)	Steel Against the Sky (D) 112 *Alexis Smith* (1941-42)
Dec. 19	Harvard, Here I Come (C) Riders of the Badlands (O) (1941-42)	Design for Scandal (C) 213 *Rosalind Russell Walt. Pidgeon*	Boy of Mine (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	West of Cimarron (O) 163 *3 Mesquiteers* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornel Wilde* (1941-42)		Melody Lane (C) Road Agent (D) (1941-42)	
Dec. 25	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)	Tarzan's Secret Treasure (D) 214 *J. Weissmuller M. O'Sullivan*	Forbidden Trails (O) Here Come the Marines (D) (1941-42)	Louisiana Purchase (M) *Hope-Zorina* (1941-42)	Blonde Comet (D) 116 *Robert Kent* (1940-41)	Mr. District Attorney in the Carter Case (D) (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)		Corsican Brothers (D) Dudes are Pretty People (C) (Streamliner) (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	You're in the Army Now (C) 113 *Jimmy Durante* (1941-42)
Jan. 2			Freckles Comes Home (D) *Johnny Downs* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd* (1941-42)	Arizona Terrors (O) 174 *Don Barry* (1941-42)				Don't Get Personal (C) *Hugh Herbert* (1941-42)	They Died With Their Boots On (D) 114 *Errol Flynn* (1941-42)
Jan. 9			Thunder River Feud (O) *Range Busters* (1941-42)		Lone Rider and Bandit (O) 263 Girls' Town (D) 202 (1941-42)					Jail House Blues (C) *Robert Paige* (1941-42)	All Through the Night (D) 116 *Bogart-Veidt* (1941-42)
Jan. 16					Duke of the Navy (D) 206 *Ralph Byrd* (1941-42)	Man From Cheyenne (O) *Roy Rogers* (1941-42)			Twin Beds (C) *Joan Bennett George Brent* (1941-42)	Paris Calling (D) *Randolph Scott* (1941-42)	
Jan. 23					Today I Hang (D) 214 *Mona Barrie* (1941-42)	Pardon My Stripes (D) *William Henry* (1941-42)				North to the Klondike (D) *Brod. Crawford* (1941-42)	

12½% Slash In British Quota Is Proposed

(Continued from page 1)

e quota for the war period, because he difficulties of maintaining pro- tion, due mainly to the shortage of chnicians and other workers.

However, production groups and me labor representatives opposed ay reduction in the quotas, and had one on record as favoring mainte- ance of the existing quota percen- ges for the next three years.

The Board of Trade's new percen- ges return the quota to the status it d in 1938 when the quota law went to effect. The 10-year law provides r graduated increases in the ex- bitor and distributor percentages up a maximum of 22½ per cent for chibitors and 27½ per cent for dis- ibutors.

Schaefer Gets Full Authority in RKO

(Continued from page 1)

any's operations by a special direc- ors' committee which had been ap- inted to survey the entire internal tuation of RKO. This committee omprised Frederick Ehrman, Thomas . Durell and W. G. Van Schmus.

The executive committee, it is re- orted, will be continued and the like- hood exists, according to authorities, hat N. Peter Rathvon, chairman of he executive committee, will be elected vice-president of the company at future meeting.

'Thin Man' Leads in Strong Buffalo Week

BUFFALO, Dec. 3. — Grosses were ealthy here as all houses reported bove-average figures. "Shadow of he Thin Man" was good for $15,300 t the Great Lakes. "Look Who's Laughing" scored $12,100 at the Twentieth Century.

Estimated receipts for the week nding Nov. 29:

"Birth of the Blues" (Para.)
"Among the Living" (Para.)
BUFFALO — (3,489) (35c-55c) 7 days. Gross: $15,800. (Average, $12,000)
"Shadow of the Thin Man" (M-G-M)
"Moon Over Her Shoulder" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $15,300. (Average, $7,500)
"International Squadron" (W.B.)
"Miss Polly" (W.B.)
HIPPODROME—(2,100) (35c-50c) 7 days. Gross: $11,400. (Average, $6,800)
"Look Who's Laughing" (RKO)
"The Pittsburgh Kid" (Rep.)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Gross: $12,100. (Average, $7,500)
"You Belong to Me" (Col.)
"Naval Academy" (Col.)
LAFAYETTE—(3,000) (35c-50c) 7 days. Gross: $10,000. (Average, $6,300)

New Pan American Reel

Pan American Newsreels, formed here recently by Nicholas H. Ruiz and Nesto A. Lao to import newsreel material from Latin America, has released its first subject, a clip of about 300 feet on the Peruvian National Exhibition of Arts and Crafts, now being presented at the Embassy Newsreel Theatres in Rockefeller Center and in the Airlines Terminal Building.

Notes from Hollywood

Hollywood, Dec. 3

WITH the fifth of the six sequences in work and the last being prepared, "Forever and a Day," British-American charities film, is nearing completion. The picture, for which actors, directors, and other talent have donated their services, will be shown throughout the country, with British and American charities each getting half of the proceeds.

Director EDMUND GOULDING is guiding the fifth sequence, which has ROBERT CUMMINGS, MERLE OBERON, ROLAND YOUNG, NIGEL BRUCE, GLADYS COOPER, ELSA LANCHESTER, UNA O'CONNOR, SARA ALLGOOD and ROBERT COOTE in the cast.

Those who have already worked in the picture include ANN NEAGLE, RAY MILLAND, CLAUDE RAINS, C. AUBREY SMITH, GENE LOCKHART, RAY BOLGER, HALLIWELL HOBBES, PATRIC KNOWLES, CHARLES COBURN, JESSIE MATTHEWS, CHARLES LAUGHTON, IAN HUNTER, SIR CEDRIC HARDWICKE, BUSTER KEATON, REGINALD OWEN, IDA LUPINO, BRIAN AHERNE, EDWARD EVERETT HORTON, WENDY BARRIE, ISOBEL ELSOM, JUNE DUPREZ, ERIC BLORE.

• •

Warners has obtained the rights to Jack London's "Burning Daylight," and James Gow has been assigned to do the script . . . The Screen Writers Guild is toying with the idea of having a national magazine contest for writers in Army Camps who will be asked to submit stories suitable for magazine publication . . . Gene Autry and Smiley Burnette have had placed on their schedule at Republic "The Vanishing Pioneers," story of the early days of Oklahoma.

• •

20th Century-Fox has purchased "Sunset Graze," LUKE SHORT western, for a possible JOHN KIMBROUGH vehicle. GEORGE KANE, reader, gets his first writing assignment on it following his promotion . . . Universal has set CLARENCE MUSE and THERESA HARRS in "Tough as They Come," Dead End-Tough Guy kids picture . . . EUGENE PALLETTE has been added to the cast of "Tales of Manhattan" at 20th Century-Fox . . . MILTON BERLE and LYNN BARRI head the cast of 20th Century-Fox "Whispering Ghosts" . . . JOHN QUALEN has been added to the cast of M-G-M's "Tortilla Flat" . . . EDWARD EVERETT HORTON and JAMES GLEASON go into "Arsenic and Old Lace," at Warners.

• •

FRED MACMURRAY will be starred in "The Forest Rangers," to be made by Paramount in Technicolor from THELMA STRABEL's novel. GEORGE MARSHALL will direct and ROBERT SISK produce . . . BRADBURY FOOTE has been assigned by M-G-M to write the screenplay for his original, "What the Gods Provide" . . . VIRGINIA VAN UPP goes on the script of Paramount's "The Crystal Ball" . . . BENJAMIN GLAZER has returned from New York where he conferred on release deals . . . REGINALD GARDINER will support RAY MILLAND and BETTY FIELD in Paramount's "Mr. and Mrs. Cugat."

• •

MG-M has purchased "Full Glory," story by director WILLIAM A. WELLMAN and LESTER KOENIG . . . ROBERT STERLING and ANN RUTHERFORD have the leads, and VIRGINIA WEIDLER, GUY KIBBEE, SPRING BYINGTON and DOROTHY MORRIS the supporting roles of "This Time for Keeps," at M-G-M. CHARLES RIESNER is to direct . . . The title of John Boles' vehicle at Monogram formerly known as "Boy of Mine" is "Road to Happiness."

• •

Walter Woolf King and Mona Barrie have been signed for the leads of "Today I Hang," Merrick-Alexander production for P. R. C. Oliver Drake directs from his original script . . . "Bad Man of Arizona" has been chosen for the title of Paramount's "Tombstone" . . . Producer Robert Sparks is working on "Blondie Greets a Guest," 11th in the Columbia series. . . Ish Kabibble, Kay Kyser's comic singer, has been signed by Harold Lloyd for the Kyser vehicle, "My Favorite Spy."

• •

RKO is seeking vehicles out of the western category for TIM HOLT, now appearing in ORSON WELLES' "The Magnificent Ambersons" . . . Republic has set BILLY HENRY and SHEILA RYAN in "Pardon My Stripes," prison comedy . . . Paramount directorial assignments: WILLIAM CLEMENS to guide "Washington Escapade"; HUGH BENNETT to direct "Henry Aldrich, Editor" . . . Warners and N. E. A. got together on a deal under which the story of "Kings Row" will be serialized in some 560 daily newspapers.

N.W. Allied to Talk Minnesota Problems

(Continued from page 1)

tion to help solve the Minnesota product difficulties.

Meanwhile, independent exhibitors here assert that terms asked by major distributors for new product are prohibitive and say that some theatres have only two weeks' product supply on hand.

The situation is described as probably more acute than it was a month ago before four of the five consenting companies obtained authorization from the Federal court to resume selling in Minnesota. Few deals, they say, have been closed since selling began.

Taplinger to Col., Harry Cohn Aide

(Continued from page 1)

he operated his own publicity organization and was associated with CBS for eight years in publicity capacities.

Taplinger was released from a Warner contract which had three years to run. In his new capacity, he will concentrate on developing closer relations between production and exploitation, in addition to other duties as aide to Cohn. He plans to make periodic visits here. He is scheduled to leave for the Coast on Saturday.

'Yank' Tallies Big $48,000, Chicago Lead

CHICAGO, Dec. 3.—Business in the Loop continues on the upgrade. The Chicago Theatre with "A Yank in the RAF" drew $48,000. The Palace took $17,500 with "Suspicion" and "Week-End For Three" and the Oriental with the Three Stooges in person, and Republic's "Sailors On Leave" did $19,000.

Estimated receipts for week ending Nov. 27:

"International Lady" (U.A.)
"Niagara Falls" (U.A.) 6 days, 2nd week
"Smilin' Through" (M-G-M) 1 days
APOLLO—(1,400) (30c-40c-59c) 7 days. Gross: $5,200. (Average, $5,000)
"A Yank in the R.A.F." (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Variety show. Gross: $48,000. (Average, $32,000)
"You'll Never Get Rich" (Col.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)
"Sailors On Leave" (Rep.)
ORIENTAL—(3,200) (25c-35c-40c-50c) 7 days. Stage: "Hawaian Follies" and Three Stooges. Gross: $19,000. (Average, $16,000)
"Suspicion" (RKO)
"Week-End for Three" (RKO)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $17,500. (Average, $13,000)
"New York Town" (Para.)
"Badlands of Dakota" (Univ.)
ROOSEVELT — (1,500) (30c-40c-59c) 7 days, 2nd week. Gross: $10,000. (Average, $11,000)
"Sergeant York" (W.B.)
STATE-LAKE—(3,700) (40c-44c-55c-75c) 7 days, 5th week. Gross: $16,500. (Average, $14,000)
"The Chocolate Soldier" (M-G-M)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days, 2nd week. Gross: $12,500. (Average, $14,000)

'Flying' at $16,400; Providence Strong

PROVIDENCE, Dec. 3.—Aided by excellent Thanksgiving holiday business, all houses ran over average, with the Majestic's dual, "Keep 'Em Flying" and "Moonlight in Hawaii," running up a gross of $16,400.

Estimated receipts for the week ending Nov. 25-27:

"Suspicion" (RKO)
"Unexpected Uncle" (RKO)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $11,500. (Average, $6,000)
"Shadow of the Thin Man" (M-G-M)
"Miss Polly" (U.A.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $13,200. (Average, $11,000)
"Keep 'Em Flying" (Univ.)
"Moonlight in Hawaii" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross $:16,400. (Average, $7,000)
"You Belong to Me" (Col.)
"Mystery Ship" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $7,300. (Average, $6,000)
"Law of the Tropics" (W.B.)
FAY'S — (1,800) (20c-33c-44c) 7 days. Stage show with Barbara Blane, Larry Blake, Arthur Robert and June David, Jack Lane, Monroe Brothers, and Jean, Jack and Judy. Al Jahns orchestra. Gross: $6,100. (Average, $5,000)
"Hurry, Charlie, Hurry" (RKO)
METROPOLITAN — (3,045) (30c-39c-55c-75) 3 days. Stage show with June Preisser, Peter Lind Hayes, Mary Healy, Dick Baldwin, Barbara Pepper and Anne Nagel in "Hollywood Sweater Girl Revue," with Stuart and Taylor, the Kim Loo Sisters and Ed Drew orchestra. Gross: $6,100. (Average, $5,000)
"Sundown" (U.A.)
"Ellery Queen and the Murder Ring" (Col.)
CARLTON—(1,526) (28c-39c-50c) 7 days. 2nd week. Gross: $3,800. (Average, $3,500)
"Yank in the R.A.F." (20th-Fox)
"Private Nurse" (20th-Fox) (3 days)
"Smilin' Through" (M-G-M)
"International Lady" (U.A.) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,900. (Average, $1,800)

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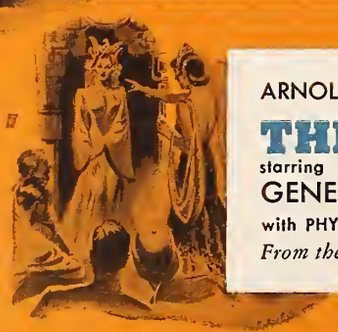
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AN ERNST LUBITSCH PRODUCTION
CAROLE LOMBARD • JACK BENNY in
TO BE OR NOT TO BE
Produced and Directed by ERNST LUBITSCH

NBC to Revise Policy on Beer Sponsorship

(*Continued from page* 1)

almost solidly, the new policy statement is expected to clarify the situation as to both webs. NBC has always taken the position that cathartic sponsors who were on the network before the adoption of the policies would be permitted to continue indefinitely, but new business of this type was turned down. As for beer, it was accepted locally by NBC-owned stations but not on the network.

What Manual Says

At present, according to NBC's "Working Manual for Continuity Acceptance," unacceptable business includes "cathartics, including foods or beverages advertised for their value as cathartics. Also products generally known and used exclusively as cathartics, even when cathartic references are not made in broadcast advertising copy." Also: "Alcoholic beverages may not be advertised on any network program."

The National Association of Broadcasters' code bans neither product. "Hard" liquor is proscribed, as is "continuity which describes, repellently, any functions or symptomatic results of disturbances, or relief granted such disturbances through use of any product."

CBS Policy Cited

The CBS "New Policies" states, in part, "many people prefer not to hear such advertising over the radio, regardless of the excellence of the program. The reason for this viewpoint is obvious; radio broadcasting is heard by mixed and assorted groups of all kinds, in the home, in restaurants, and in public meeting places. In certain groups a listener may find it distasteful to hear a discussion of some subject which under other circumstances he finds wholly fitting and proper. Similarly, we realize that the personal and often intimate quality of the human voice, radio's medium of presenting its sponsors' messages, forbids discussing subjects on the air in a manner which might be wholly acceptable when read in type."

Minneapolis Reel House

MINNEAPOLIS, Dec. 3.—The Esquire here, purchased recently by Lawrence Cohen of Los Angeles, will be reopened shortly before Jan. 1 as this city's first newsreel theatre, it was announced today. Cohen plans to remodel the theatre.

His Turn Now

Norfolk, Va., Dec. 3

FREDERICK K. MARTIN, former assistant manager of Loew's State here, has been discharged from the Army by virtue of the 28-year age limit. He goes to Harrisburg, Pa., to become assistant chief at Loew's, and the assistant manager there, Robert Gibbons, goes into the Army to take Martin's place as manager of the post theatre at New Cumberland, Pa.

Off the Antenna

REVIEWS of film openings, with excerpts of the film, will be started over NBC television next Tuesday with a criticism by Adrienne Ames of the Walter Wanger-UA picture, "Sundown." The review is planned as a regular feature of "Radio City Matinee" a program produced by Ernest Colling and televised Tuesdays at 3:45 P.M.

Miss Ames, who has appeared in many films herself, now does a Hollywood "chatter" program over WHN, and has also appeared previously on television. During the review of "Sundown," scenes from the picture totaling six minutes' running time will be shown. Arrangements with major companies for reviews of important pictures are being made, it was said. "Sundown" will open at the Criterion on Broadway Dec. 12.

• • •

Purely Personal: *Clinton Winant, brother of Ambassador John C. Winant, has been appointed CBS correspondent in Vichy. . . . Jack Shaindlin, musical director for Universal and Columbia short subjects, will conduct the symphony orchestra on "Democracy at Work" over NBC-Red Saturday at 2 P.M. when his own original score from the film "Bomber" will be performed. . . . Allyn Corris has succeeded Alan Courtney as master of ceremonies on WOV's "1280 Club."*

• • •

WMCA and WQXR have leased space on the 54th floor of the Chanin Building for FM stations, it was learned yesterday.

• • •

WHN has received 13 additional contracts, following the power boost to 50,000 watts last week. Captain Tim Healy will be heard Monday through Friday, 6-6:10 P.M., sponsored by Hecker Products; "My Daughter Betty" will be sponsored three times weekly by I. Rokeach & Sons; Simon Ackerman is sponsoring George Hamilton Combs, Jr., three times weekly; Railway Express, Stanback Co., *Readers Digest,* Procter & Gamble, Old Dutch Mills, Welch Grape Juice and National Production Co. are using spot announcements; Simon & Schuster are using five-minute talks for a book; Paragon Oil will use station-break announcements, and Ritz Thrift Shoppe will use participations on "Grouch Club."

• • •

Clarence Wheeler, *vice-president of WHEC, Rochester, was feted this week on the occasion of the 10th anniversary of his association with the station by others who have been there for a decade. These were Gunnar Wiig, Elizabeth Gledhill, Bernard O'Brien, John O'Brien, Ralph W. Barber, Madeline L. Cleary, Howard Mouatt and Mary F. Carroll.*

St. Louis, Memphis Pass Garbo Film, Omaha Cuts

(*Continued from page* 1)

St. Louisans in the management of the theatre would not be changed after seeing the picture. Williams' statement said that the opinion of the special group which saw the picture was that it would not offend decency or good taste.

The film opens in Loew's theatres in Memphis and St. Louis today.

Omaha Cuts Five Minutes

Meanwhile, in Omaha, the City Welfare Board cut a five-minute divan scene from the picture, prior to its opening yesterday at the Omaha Theatre. The action, taken after a private screening, was the first change ever ordered in a film by the Welfare Board, which described the clipped scene as "improper."

Miss Gordon Dissents

Ruth Gordon, who supports Greta Garbo in "The Two-Faced Woman," in an interview in the *New York World-Telegram* yesterday, expressed herself as being "hurtfully shocked" at the National Legion of Decency's condemnation of the film. She said that the wishes of the Production Code Administration representatives in Hollywood were adhered to whenever a question arose about a certain scene.

"There have been so many other pictures that were considerably more risque than this one," she is quoted as saying. "There is no tenable basis for action of this kind here."

Shea Drops Garbo Picture in Buffalo

BUFFALO, Dec. 3.—Shea's Theatres, Inc., here will not show the M-G-M film, "Two-Faced Woman," which was condemned by the Legion of Decency. The film was to have opened at the Great Lakes Theatre here on Friday. The decision followed a protest by Bishop John A. Duffy of the Catholic Diocese of Buffalo.

Bishop Duffy said his protest was made "on information I received," not on the basis of his personally having seen it. He expressed his appreciation for the "valuable cooperation" of Vincent A. McFaul, Shea general manager.

Boston Expurgates Abbott's 'Pal Joey'

BOSTON, Dec. 3.—John J. Spencer, city censor, today ordered "several profane expressions" deleted from "Pal Joey," George Abbott musical.

Ask Assessment Cut

ROCHESTER, Dec. 3.—Greater Rochester Properties, Inc., owner of Loew's Rochester Theatre Building, asessed at $1,074,200, is suing the city for a $249,200 cut in the assessment.

Crescent Case Goes to Judge As Pleas End

(*Continued from page* 1)

contracting in favor of Crescent Union City, Tenn., and, to a lesser degree, at Rogersville.

Wright again maintained that tributor-exhibitor franchises a illegal and create unreasonable r straint on interstate commerce.

William Waller and George F Armistead, Jr., Crescent counsel, pr sented their final arguments toda Waller charged the Government ha not proved conspiracy between the e hibitor defendants and any distribu tor and said no coercion was brough to bear on the distributors, separatel or as a whole.

He maintained also that Crescent franchises with 20th Century-Fo Warners and Paramount were not i legal and did not prevent the distribu tors from selling second run to th opposition.

"Furthermore," Waller said, " the Government thinks Crescent wrong in its interpretation of th Paramount franchise, Crescent willing for the contract to be amende to provide expressly that the sellin of second-run is not prevented."

Armistead declared the anti-trus action against Crescent was solel the outcome of complaints made t the Department of Justice by W. F Roth, Gallatin, Tenn.; Max Buchana formerly of Athens, Ala.; Tim Smith Knoxville, Tenn., and Fred Gorma formerly of Erwin, Tenn.

3 Resign Posts at Philco Televisio

PHILADELPHIA, Dec. 3.—Nick Alex ander, who has been with the statio since its early experimental days, ha resigned as general manager WPTZ, Philco television station. A the same time, production manage Warren Wright resigned. B. R. Her Philco executive who has headed vari ous departments at the plant durin process of reorganization, takes ove the operation of the television statio until successors are named for th vacated posts. In addition, Williar Shain has resigned as head of th publicity department, and until a suc cessor is named, the desk will b filled by Herbert Riband of the ad vertising department.

Raise Seattle Price

SEATTLE, Dec. 3.—John Danz's Pa lomar Theatre, film-stage house, ha established a local first-run preceden by increasing weekend prices. Nev prices will be: weekdays, 25 cents t 5 P.M., 50 cents thereafter, includin tax; Saturdays, 25 cents to 1 P.M 40 cents to 5 P.M., 58 cents there after; Sundays, 25 cents to 1 P.M 58 cents thereafter.

Increase Reel Prices

CHICAGO, Dec. 3.—The Newsree Theatre here has increased matine prices from 15 cents plus two cent tax to 20 cents, including tax. Th house is operated by Richard Beck The evening price, from 6:30, remain at 25 cents plus tax.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 111 NEW YORK, U. S. A., FRIDAY, DECEMBER 5, 1941 TEN CENTS

L.A. Churches Asked to Bar Garbo Picture

Instructed by Archbishop Pending Revisions

LOS ANGELES, Dec. 4.—Archbishop John J. Cantwell today instructed priests in the Los Angeles Archdiocese to request parishioners at next Sunday's services to refrain from attending exhibitions of "The Two-Faced Woman" pending revision of the picture to meet Legion of Decency standards.

It was learned that M-G-M executives who showed the picture to the Legion reviewing group have offered to make any cuts or additions which the National Legion may suggest, including reshooting of scenes if necessary, and to effect such changes in all prints now in distribution.

It was also learned that M-G-M cited contractual obligations which can be abridged only by reason of

(Continued on page 6)

Holdovers Continue Well on Broadway

With unseasonably warm weather prevailing, accompanied by heavy fogs and occasional rains, business along Broadway this week was mixed. Most of the strong film attractions were holdovers, and there were only two new pictures added.

"Rise and Shine" will open at the Roxy this morning, and "Smiling Through" went into the Capitol yesterday. Next Wednesday, "Birth of

(Continued on page 6)

Collins Indianapolis Variety Club's Head

INDIANAPOLIS, Dec. 4.—Kenneth T. Collins, manager of the Indiana Theatre, has been reelected chief barker of the Indianapolis tent of the Variety Club and begins his second term.

Other officers named are: Arthur Landes, first vice-president; L. J. McGinley, second vice-president; Al Blocher, treasurer, and Claude McKean, secretary. Directors elected are: Carl Niesse, Marc J. Wolf, Dick Frank, Fred Greenberg, A. C. Zaring, Joe Neger, Curtis Butler, Harold Stevens, I. A. Fendrick, Morris E. Lefko and George Landis.

Sears Holds First District Meeting; To Studio Today

Gradwell L. Sears, vice-president in charge of United Artists distribution, and Carl Leserman, general sales manager, held a special sales meeting at the home office yesterday, attended by all district managers in the United States and Canada and other home office executives.



Gradwell Sears

Sears discussed the line-up of forthcoming U. A. product, stressing merchandising and selling angles on the next six films, scheduled for early release, including: "The Corsican Brothers,"

(Continued on page 6)

Coast Unit Attacks Harmful Publicity

HOLLYWOOD, Dec. 4.—The studio publicity directors committee today adopted a resolution condemning "publicity practices in behalf of individuals without regard to the effect upon industry good will" as a step toward offsetting the effect of a recent *Pic* magazine layout, which was interpreted by the committee as the work of freelance press agents.

No reference to freelancers was made in the statement issued by the

(Continued on page 4)

McCraw to Act as Ampa Toastmaster

William McCraw of the Dallas Variety Club will be master of ceremonies at the Ampa testimonial luncheon to the Variety clubs and their national leaders, John H. Harris and R. J. O'Donnell, at the Hotel Edison, Dec. 11. McCraw, former Attorney General of Texas, is now with the Office of Production Management.

Paul Benjamin heads an Ampa committee handling arrangements.

Para. Will Redeem All 2nd Preferred Stock February 3

The board of directors of Paramount Pictures, Inc., of which Barney Balaban is president, yesterday authorized the redemption on Feb. 3 of the entire issue of the company's second preferred stock outstanding, amounting at this time to approximately $4,250,000 face value.



Barney Balaban

The board at the same time declared a dividend of 25 cents per share on the common stock and the regular quarterly dividends on the preferred

(Continued on page 4)

Rules Theatre Has Right to Seek Writ on Jurisdictional Picketing

Although denying a temporary injunction, N. Y. Supreme Court Justice Richard Koch ruled yesterday that a theatre owner has a good cause of action for an injunction where a union pickets a house solely in retaliation for an opposition union picketing another theatre. The decision, in the opinion of observers, may have far reaching significance in the recurrent counter-picketing drives between operators' Local 306, IATSE, and the independent Empire State M.P. Operators Union.

The suit involved the complaint of the No. 62 Delancey St. Theatre Corp., operator of the Delancey, in Manhattan, against Local 306. The Delancey employs Empire State operators, and the complaint alleged that Local 306 was picketing the Delancey as "retaliation" against Empire State. Justice Koch, although denying the theatre's motion for a temporary injunction, refused the union's plea for a dismissal of the complaint. He ruled that if the theatre could establish its "retaliation" claim by evidence at the trial, a good cause of action for an injunction would be set forth.

Schaefer and N. M. Schenck Approve Unity

Committee of MPTOA to Attend Meeting

CHICAGO, Dec. 4.—Nicholas M. Schenck, president of Loew's, and George J. Schaefer, president of RKO, expressed their approval here today of the industry unity plan sponsored by Allied States.

Both executives plan to attend the initial meeting on the unity plan, scheduled for the Blackstone Hotel here next Tuesday.

Asked his views on the meeting, Schenck said: "I believe that the theory of the unity plan as outlined is an excellent idea and my company is very much for it. I plan to attend the meeting and am hopeful that something will come out of it that will benefit the entire motion picture business."

Schaefer declared: "My opinion is that the industry will only begin to reap the real benefits when they finally get together and work out a plan such as proposed and contemplated."

Asked if he thought such a plan could replace the consent decree,

(Continued on page 4)

Lehman Will Speak At Dinner to Silver

ALBANY, Dec. 4.—Gov. Herbert H. Lehman of New York will be one of the chief speakers at the testimonial dinner at the Ten Eyck Hotel here Monday night for Moe Silver. Details were completed at a committee meeting today. James J. Walker will be toastmaster.

Other speakers will include State Attorney General John J. Bennett and Mayor Herman Hoogkamp of Albany. Industry figures scheduled to speak include: Joseph Bernhard, Harry Kalmine, George Schaefer, Neil Agnew, Nate Blumberg, Si Fabian, C. J. Latta, Jack Cohn, Herbert Yates, E. K. O'Shea, Joseph Vogel, John Harris, Robert J. O'Donnell, Ned E. Depinet and A. J. McDonald.

Special trains will leave for Albany on Monday from New York, Cleveland and Buffalo, with a contingent from Pittsburgh also expected. On Monday at noon the local Variety Club will install officers at a luncheon, with Harris and O'Donnell conducting the ceremony. Silver is chief barker.

M-G-M Flying Print To Africa in 3 Days

When the *Capetown Clipper* makes its inaugural take-off for South Africa tomorrow, it will carry a print of M-G-M's "H. M. Pulham, Esq.," the company announced yesterday. The print is expected to be in Johannesburg three days later, clipping the 45 to 60 days now required for the trip by boat. It is planned to show the film at the Metro, Johannesburg, simultaneously with the current Boston run, and before anywhere else in the United States.

Chalmers, Publisher Of Film Paper, Dies

James Petrie Chalmers, vice-president of Chalmers Publishing Co., publishers of *Moving Picture World* prior to its consolidation with *Exhibitors Herald* in 1927, died yesterday at his home in Greenwich, Conn., at the age of 98. *Exhibitors Herald* was merged with *Motion Picture News* in 1930 to form *Motion Picture Herald*.

Funeral services for Chalmers will be held Sunday afternoon at the Presbyterian Church in Greenwich. Burial will be in the family plot at Mt. Kensico.

Personal Mention

WILLIAM F. RODGERS, M-G-M general sales manager, and E. K. O'SHEA, Eastern division manager, have returned from Chicago.

•

ROBERT LAPLANTE, manager of the Pantheon, Vincennes, Ind., has been inducted into the Army.

•

MRS. IDA GREEN, secretary to STANLEY J. MAYER, 20th Century-Fox manager in Des Moines, is recovering from an appendicitis operation.

MARVIN SCHENCK has returned form the Coast.

•

I. R. HOLYCROSS, operator of the Paramount in Anderson, Ind., is in Hamilton County Hospital at Noblesville, Ind., with a heart ailment.

•

ARTHUR GREENBLATT is en route here from the Coast.

•

WILLIAM WALDHOLZ, FHA film distribution chief, is back from Hollywood.

New Defense Film Previewed Today

"Women in Defense," latest film approved for exhibition under the auspices of the Motion Picture Committee Cooperating for National Defense, will be previewed this afternoon. The commentary for the subject was written by Mrs. Eleanor Roosevelt and is spoken by Katharine Hepburn.

The film was made by the Film Unit of the Office for Emergency Management and is the 23rd subject in the group. Six hundred prints will be shipped to exchanges in a few days. A three-minute trailer, "Food for Freedom," also has been approved and prints shipped to exchanges.

M-G-M Signs Saroyan

HOLLYWOOD, Dec. 4.—William Saroyan, playwright, has been signed to a producer contract by M-G-M, it is reported. It is understood he will spend some time at the studio studying film technique before making a picture.

'Angel Street' Opens At Golden Tonight

"Angel Street," a new play by Patrick Hamilton, opens tonight at the Golden Theatre. Vincent Price, Judith Evelyn and Leo G. Carroll are in the top roles. Shepard Traube produced in association with Alexander Cohen.

W. B. Circuit Shifts Chicago Managers

CHICAGO, Dec. 4.—With the induction of George Finley, assistant manager of the Rhodes Theatre, into the Army, Warner Theatres are switching several assistant managers.

Frank Riley, a newcomer to the organization, becomes assistant manager of the Paramount, Hammond, Ind., and Fred Nichols, assistant manager of the Paramount, Hammond, moves to the Parthenon, Hammond, in the same capacity. Richard Fahey goes from assistant manager of the Parthenon to assistant manager of the Cosmo, Chicago, and John Falco switches from assistant manager of the Cosmo to assistant manager of the Rhodes.

Schenck's Appeal Delayed to Jan. 12

Chief Judge Learned Hand of the U. S. Circuit Court of Appeals yesterday postponed argument of the appeal of Joseph M. Schenck and Joseph H. Moskowitz from a conviction for tax evasion to Jan. 12. The delay was caused, it was learned, because Judge Charles Clark, who is sitting in the December term of the court, disqualified himself from hearing the appeal on the ground his brother, Samuel Clark, is an official of the Internal Revenue Department.

Universal Votes $2 Preferred Dividend

Universal Pictures Co. board of directors yesterday declared a dividend of $2 a share on the company's first preferred stock, payable Jan. 1, 1942, to stockholders of record Dec. 23. The dividend is the third declared by the company on the preferred in recent quarters. Arrears on the stock following the Jan. 1 payment will amount to $68 per share.

Sarnoff's Mother Dies

Mrs. Lena Sarnoff Fox, 73, mother of David Sarnoff, president of RCA and chairman of the board of NBC, died yesterday at her home in the Bronx.

Newsreel Parade

THE commemoration of Bill of Rights Day by President Roosevelt in Washington is the highlight event in the weekend newsreel issues used by all reels. Aside from this there are the usual defense items and miscellaneous general news events. The contents follow:

MOVIETONE NEWS, No. 26—Far East situation tense as Japan threatens Thailand. President names Bill of Rights Day. Major General Frank P. Lahn retires with many honors at Randolph Field. North Carolina parachute troops seize airport. Fashions for skiing are shown. A thoroughbred race horse in the making. Highschool girls in pillow fight at Harrisburg.

NEWS OF THE DAY, No. 224—Action pictures of tank war in Libya. President proclaims Bill of Rights Day. Parachute troops raid North Carolina airport. Trial run of torpedo boat fleet at New York. Army shows growing air strength. All-American football team of 1941. Red Cross drive extolled.

PARAMOUNT NEWS, No. 29—Parachute troops and air-borne infantry in maneuvers in North Carolina. President hails Bill of Rights Day. Ladies' Night at Boys' Club in New York. Ten Irish setter pups make a record litter. Major Larson, football coach, leaves Naval Academy; scene after Army-Navy football game. Red Cross appeal.

RKO PATHE NEWS, No. 29—British initiate battle in Libya. President proclaims Bill of Rights Day. Emergency bomb and fire defense train tested in Massachusetts. Mediation averts rail strike. Irish setter has litter of 10 pups. Entertainment for soldiers at Los Angeles. Boys Club in New York crowns "sister queen." Paddleboard skippers compete off Santa Monica, Cal. RCAF drills in Boston.

UNIVERSAL NEWSREEL, No. 38—President Roosevelt proclaims Bill of Rights Day. Sky troops in action in North Carolina. Pioneer Army pilot, Major General Lahn retires at Randolph Field. Army nurses in gas mask drill at Fort Jay, N. Y. Southern styles shown. Boys Club in New York holds sister contest. Indians row against college men in Washington state. Dunkers exhibit their skill. California crop of racing horses on exhibition. Colored all-star football team is defeated in New York.

Nick Dean Free on Bail

Nick Dean was freed yesterday from confinement in the Federal House of Detention upon posting a $25,000 cash bond. Dean faces an indictment for extortion of $1,000,000 from major film companies, and is an alleged accomplice of William Bioff and George E. Browne.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CARY GRANT . JOAN FONTAINE
"SUSPICION"
An RKO-RADIO Picture
ON THE GREAT STAGE: "NICE GOING"
—Leonidoff's gay spectacular revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

CLAUDETTE COLBERT
RAY MILLAND
BRIAN AHERNE
In Paramount's
"SKYLARK"
IN PERSON
HARRY JAMES AND BAND
Extra: RAY BOLGER
PARAMOUNT Times Square

Jack OAKIE . George MURPHY . Milton BERLE
Linda DARNELL . Walter BRENNAN
'RISE and SHINE'
PLUS A BIG STAGE SHOW **ROXY** 7th Ave. & 50th St.

RKO **PALACE** B'WAY & 47th St.
'THE MALTESE FALCON'
Humphrey Bogart—Mary Astor
and
'MARRY THE BOSS'S DAUGHTER'

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists **RIVOLI** Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows



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S. R. O.

450 EXHIBITORS STAND to see Paramount's "Louisiana Purchase"!

The Normandie Theatre in New York seats 589 persons.

Paramount scheduled its New York trade showing of "Louisiana Purchase" at the Normandie. But when 11 a.m. Friday—screening time—came around, every seat was filled and *THERE WERE 450 EXHIBITOR STANDEES!* And they all remained to applaud the fade-out!

The answer? Word's gone around the industry that in "LOUISIANA PURCHASE," Paramount has served up a holiday show that has EVERYTHING. *NAMES?* Bob Hope; Vera Zorina; Victor Moore; Irene Bordoni; Dona Drake; Raymond Walburn! *TUNES?* Irving Berlin's best! *GALS?* A hundred Louisiana Lovelies—the Cream of the Crop! *STORY?* Buddy DeSylva's Broadway hit, translated to the screen under his own supervision! Slick direction by Irving Cummings; the finest Technicolor ever exposed!

Read the trade raves; a few excerpts appear at right for your convenience. Then you'll know Paramount's not *WISHING* you but *BRINGING* you a Happy New Year!

THE TRADE SAYS:

"... Will be a tremendous money attraction ... a smash ... advertising cannot go overboard in heralding this as a show that has everything!" —*Hollywood Reporter*

"A hit show of biggest dimensions ... has everything to regale any audience craving entertainment and to assure first-run holdover business ..." —*Daily Variety*

"... Should register at the box office ... all the elements needed for success ... for the patron who demands cheerful entertainment, this is what he asked for!" —*Showmen's Trade Review*

"... Pictorially magnificent, musically pleasant, photographically breathtaking ... Paramount has spared nothing ... Zorina really a standout!" —*The Independent*

"A big time film, ideal for the larger capacities where it rates top grosses and holdovers ... all the fun which kept 'Louisiana Purchase' among the most popular musicals of the past season on Broadway, plus extra entertainment values!" —*Weekly Variety*

"... Should be a box office winner of the first order ... has what it takes to score with the patrons, of all ages, in all places!" —*Motion Picture Daily*

"... Looms as one of the more conspicuous musical comedies ... impressive array of star power ... sparkling dialogue ... girls ... a happy combination!" —*Motion Picture Herald*

"Fine pop musical, packed with laughs and eye-filling production values. Will score everywhere. Magnificent Technicolor; action swiftly paced!" —*Film Daily*

THE SHOW THAT HAS EVERYTHING!

"LOUISIANA PURCHASE"

IN TECHNICOLOR!

A Paramount Picture starring BOB HOPE · VERA ZORINA · VICTOR MOORE

with Irene Bordoni · Dona Drake · Raymond Walburn

and Those Louisiana Lovelies—The Cream of the Crop!

Directed by IRVING CUMMINGS · Screen Play by Jerome Chodorov and Joseph Fields · Based on the Musical Comedy by Morrie Ryskind · From a Story by B. G. DeSylva

Music and Lyrics by Irving Berlin

Paramount Pictures

Schaefer and N. M. Schenck Approve Unity

(Continued from page 1)

Schaefer said: "If the exhibitor and distributor will see eye to eye and think alike, it is possible that a plan could be worked out that would be satisfactory to the Government and the public."

MPTOA Executive Group Will Attend

The entire MPTOA executive committee and possibly several members of the organization's board of directors, in addition, will attend the unity meeting. Ed Kuykendall, MPTOA president, has called a meeting of the group for Monday at the Blackstone Hotel, in advance of the all-industry meeting.

Members of the organization's executive committee who are definitely slated to attend, in addition to Kuykendall, are: Morris Loewenstein, Oklahoma City; H. V. Harvey, San Francisco; O. C. Lam, Rome, Ga.; Arthur Lockwood, Boston; Lewen Pizor, Philadelphia, and Fred Wehrenberg, St. Louis.

At their separate meeting, the group will discuss unity proposals and formulate an organization policy with respect to recommendations to be made at the all-industry meeting.

ITOA Calls Session

A separate meeting also has been called by Harry Brandt, president of the New York ITOA, for Monday in Chicago. Representatives of exhibitor units which are not affiliated with either national exhibitor organization have been asked to attend. There are about a dozen such organizations, including those in Kentucky, Virginia, Montana, the Dakotas, District of Columbia, Portland, Salt Lake City, Des Moines and the Southern California section of the PCCITO.

Allied States is expected to be represented by a large delegation, comprising its unity committee and many of its directors. In the delegation are expected to be: Abram F. Myers, H. A. Cole, Sidney Samuelson, Jack Kirsch, Roy Harrold, Martin Smith, Fred Strom, Ben Berger and Ray Branch.

Executives to Be Present

Company representatives scheduled to be present include, in addition to Schaefer and Schenck, W. F. Rodgers and H. M. Richey of Loew's; Austin Keough and Claude Lee of Paramount; Joseph Bernhard and Ben Kalmenson, Warners; Felix Jenkins, 20th Century-Fox; Abe Montague, Columbia; James R. Grainger, Republic; O. Henry Briggs, Producers Releasing, and either W. Ray Johnston or Steve Broidy for Monogram.

Others who may attend but have not definitely decided yet are: Barney Balaban, Paramount president; Jack Cohn, Columbia vice-president, and T. J. Connors and W. C. Michel of 20th Century-Fox.

Maurice Bergman will represent Ampa.

Reviews

"Sullivan's Travels"

(Paramount)

PRESTON STURGES, whose stories and pictures have maintained a happy blending of entertainment and box-office values, picks up the argument whether pictures with a "message" are preferred by the public to pictures which are unadulterated entertainment. He picks it up and makes a good picture of it, and in so doing manages to deliver a film with a semblance of a "message" which still is highly entertaining.

His chief foil is Joel McCrea, prized Hollywood director, who, after a series of successes built on flyweight themes, suddenly determines to do a picture of social significance, to bring to the screen the message of America's impoverished outcasts. He masquerades as a tramp and sets out from Hollywood to experience the hardships of those he would dramatize. Twice, by comic misadventure, he is unwillingly returned to Hollywood without having accomplished his objective. On the first occasion he meets Veronica Lake, discouraged in her pursuit of Hollywood success, who believes him to be a tramp and befriends him. She accompanies him on his final try at sharing the lot of the downtrodden.

At its conclusion, McCrea sets out to distribute money to the outcasts who, he believes, have contributed much to his experience and understanding. He is beaten, robbed and tossed in an outbound freight car. While his assailant is subsequently killed by a train and the body mistakenly identified as the director's, McCrea is arrested and convicted for assault on a railroad policeman, and sentenced to six years in a work camp, ruled by a brutal overseer. On one occasion, he is taken with the other prisoners to see a film, and laughs with the broken, dejected men at a Walt Disney cartoon.

Subsequently, his release is effected, he is reunited with Miss Lake, while the studio officials, who had tried to dissuade him from making the picture with a message, are convinced that, after his experiences, he could make a successful one. McCrea rejects their urging, voicing his new belief in the virtue of making people laugh.

"Sullivan's Travels" is unique in conception, original in treatment. It is a picture which will be recommended to others by those who see it. It is not, however, an easy picture to sell and exhibitors will do well to give it special attention.

Sturges' direction is excellent, and supporting roles are uniformly well played. Deserving of particular mention are Robert Warwick, William Demarest, Franklin Pangborn, Robert Greig, Eric Blore and Jan Buckingham.

Running time, 91 minutes. "G."* SHERWIN A. KANE

"Midnight Angel"

(Paramount)

AN interesting murder melodrama, against the background of the day's news, has been produced by Sol C. Siegel, who has used the setting of a test blackout in a large American city to give the story timeliness without making it another war yarn.

As the vivacious and impulsive young telephone operator who snatches at excitement and romance wherever she sees it, Martha O'Driscoll gives a first rate performance. The confusion created by an air raid drill and the typical crowd reactions have been caught amusingly by Ralph Murphy, who directed.

Robert Preston, who plays the male lead, is convicted of murder by the testimony of a dancer (Eva Gabor), a woman he had never seen. As he is being driven to jail during the blackout the police van collides with an army truck and Preston escapes. Miss Driscoll sees him, decides he was innocent and undertakes to help. Preston is encumbered by handcuffs and the military police hamper his escape but he finally learns that a friend (Philip Merivale) on whom he had relied really is a foreign spy. In the end, Preston is cleared by a confession overheard by the police through an arrangement with Miss Driscoll's friend at the telephone exchange. Among those in the cast are Louis Jean Heydt, Thurston Hall, Mary Treen, J. Edward Bromberg and Spencer Charters.

Running time, 76 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

Plagiarism Trial Starts

BOSTON, Dec. 4.—Trial in the $200,000 infringement suit of William O'Rourke, author, against RKO has started in Federal Court here before Judge George C. Sweeney. O'Rourke claims that the RKO picture "Condemned Women" was "substantially similar" to his own "Girls Reformatory" which he submitted to RKO in 1937.

Photophone in Deal With Mass. Circuit

RCA Photophone has closed a renewal agreement on service with the Western Massachusetts Theatres, at Springfield, covering 17 houses of the circuit, according to W. L. Jones, RCA national service manager.

Nate Goldstein negotiated the deal for the circuit, and RCA was represented by J. P. Ware.

Para. Will Redeem All 2nd Preferred Stock February 3

(Continued from page 1)

stocks, amounting to $1.50 a share on the first preferred and 15 cents a share on the second preferred. The dividends are payable Dec. 27 to common stockholders of record Dec. 1 and to preferred holders of record Dec. 12.

The common dividend is the fourth declared on that stock for the year, giving it a 1941 dividend standing of $1 per share.

$10.06 Redemption Price

The redemption of the second preferred will be at the redemption price of $10.06, and will apply as well to the scrip for the second preferred shares at a proportionate rate. There are 412,200 shares of second preferred outstanding, including scrip, and some 22,600 shares in the Paramount treasury.

The second preferred will be convertible into common up to Jan. 20 at the rate of nine shares of common for ten of preferred. Redemption of the issue will leave only first preferred outstanding, apart from the common, and conversion of the first into common is being spurred by the increasing common dividends.

$12,000,000 in Exchange

Paramount's offer to exchange its 3¼ per cent debentures for the new 4 per cent debentures will expire today. Indications are that approximately $12,000,000 face amount of the old debentures will have been tendered for exchange when the offer expires. Approximately $600,000 of old debentures remaining will be called by the company for redemption beginning Dec. 12.

Coast Unit Attacks Harmful Publicity

(Continued from page 1)

committee and it is understood no machinery for collective treatment of the matter was provided.

Following an investigation conducted in cooperation with the local Better Business Bureau, the committee turned over to police authorities information disclosing operations of a "studio visit" racket by which visitors denied studio access under the "no-visitor" rule were being charged $7.50 each on promise of a walk through studio premises. The name of one individual who had managed to smuggle in some visitors by misrepresenting them as having business connections entitling them to admittance was turned over to the police.

Publicity assistance for Camp Shows, Inc., was also discussed at the meeting and a report of the mailing list committee charged with reduction of waste in publicity departments was approved.

'Dumbo' Xmas Release

Walt Disney's "Dumbo" will be released nationally during Christmas week, it was announced yesterday. Disney's "Fantasia" will end a 20-week run at the New Gallery Theatre, London, Sunday and "Dumbo" will start a pre-release run there Dec. 21, it was stated.

GENEROUS CONTRIBUTORS

BECAUSE of their exceptional ability — each in its own field — to record completely the beauty of every scene, Eastman negative films have contributed their part to the success of modern screen productions. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
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PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

L.A. Churches Asked to Bar Garbo Picture

(*Continued from page* 1)

legal action as the reason why the company cannot withdraw the film from circulation. Up to today the studio had not received notification of specific alterations such as the National Legion has suggested in previous cases, notably "Strange Cargo," with a resultant change in Legion classification.

Will H. Hays, who is expected to leave next week for Indiana and continue on to New York, today maintained his policy of silence with respect to the incident.

"Two-Faced Woman" opened today at Grauman's Chinese and Loew's State following a newspaper advertising campaign which utilized large space but did not connect the attraction with Legion of Decency action or newspaper accounts of the situation.

Loew's Postpones Run in St. Louis

ST. LOUIS, Dec. 4.—The showing of M-G-M's "The Two-Faced Woman" was postponed indefinitely here today following a last-minute decision by Rex Williams, Loew's Theatre manager, to cancel the showing in the face of protests from local Legion of Decency members. Williams said the picture may be shown after Christmas.

"Design for Scandal," M-G-M film, and Columbia's "Secrets of the Lone Wolf" were substituted on the new bill, which opened today.

Williams reached his decision to cancel the Greta Garbo picture about 11 o'clock last night, after conferring with the Loew's circuit home office in New York. This necessitated quick statements to the press and new advertisements to catch the last editions of morning newspapers.

[A Loew's circuit official in New York said yesterday that the policy on showing the picture is guided by local conditions and that the product situation also is a factor.]

Prosecuting Attorney James P. Finnegan was quoted this afternoon as saying the picture was "a little on the immoral side." This was his first statement since seeing the picture Tuesday evening as one of a selected group.

Williams yesterday issued a statement to the press that "The Two-Faced Woman" would open today as scheduled. However, later in the day he received a number of protests from Legion of Decency supporters and the decision to postpone the showing in this strong Catholic community followed.

Action 'Delights' Wehrenberg

Fred Wehrenberg, president of the local MPTO and co-owner of a circuit of 23 subsequent run houses, indicated he would not play the picture unless objectionable portions had been eliminated. He said he was "delighted" by Loew's decision to "pull" the picture as "it would have been waving the red flag in the face of the church."

Wehrenberg said he had learned from his patrons that priests last Sunday told parishoners to boycott any theatre which played the picture even after the conclusion of the film's run. Archbishop John J. Glennon had issued a statement last week urging a united protest against the picture.

Williams in a statement late today said "we were not requested by any church official or religious group to withdraw the picture until Tuesday afternoon." He stated that the group which saw the film Tuesday evening approved it, but on Wednesday, he said, he was informed that some persons, "who had not seen the picture, were protesting against its showing," and that prompted the postponement.

The postponement "broke" on front pages of the local newspapers, the third time in less than a week that the situation has been given such prominence here.

Reviews

"Mr. Bug Goes To Town"

(Fleischer-Paramount)

THIS feature-length cartoon in Technicolor brings its audience to a new world of make believe, a fantasy depicting a community of bugs and their problems of life. It is an amusing fable that affords pleasant and amusing diversion for the young and old alike.

Technically it is a splendid work, and it attests to the advancement of the animated cartoon art. That great care and skill were exercised in materializing the imaginative idea is evident. The animation and color work are consistently superior and are bound to draw praise from the technical observer. The character creations, particularly "Honey Bee," "Hoppity Grasshopper," "C. Bagley Beetle" and "Mr. Bumble," are quaintly charming.

"Mr. Bug" is endowed further with a musical score of merit. The three songs by the Hoagy Carmichael-Frank Loesser combination titled "I'll Dance At Your Wedding," "We're the Couple in the Castle" and "Katy Did, Katy Didn't" are of the type that usually has the customer humming as he leaves the theatre.

The fable has an amusing plot whose central character is "Hoppity," the hero, who seeks to provide the bug race with a refuge from "the humans," who trample through the community. "Beetle," who has designs on "Honey" and is jealous of "Hoppity," hampers the latter. After many shortcomings by which he loses favor with the community, "Hoppity" eventually finds the refuge in a penthouse garden atop a skyscraper. It is all cleverly worked out with comedy effects.

Running time, 78 minutes. "G."* EUGENE ARNEEL

"Road Agent"

(Universal)

UNIVERSAL'S three adventure-seekers—Dick Foran, Leo Carrillo and Andy Devine—find action, intrigue, fast shooting and riding and a bit of romance in this film which is a western endowed with more than usual production values for that type of picture by Ben Pivar, associate producer.

The direction by Charles Lamont kept the story moving along and worked in several song interludes for Foran without disrupting the plot. Some humor is supplied by Devine and Carrillo. The cast also includes Anne Gwynne, Samuel S. Hinds, Richard Davies, Anne Nagel and Morris Ankrum.

The three companions recover a gold shipment captured from a stage coach. But they are suspected and just as they are about to be hanged Foran is made sheriff and his partners deputies. Finally they save the bank's deposits. In a gun battle the desperadoes are killed and the bank president learns that the three men were agents for the Wells Fargo Co., sent to the town to restore law and order.

Running time, 60 minutes. "G."* M. Q., JR.

**"G" denotes general classification.*

Para. in Circuit Deals

Deals for Paramount's first two blocks-of-five were closed yesterday with the R. E. Griffith circuit, Texas; H. J. Griffith circuit, Kansas and Missouri, and the Griffith-Long circuit, Arizona and New Mexico, Charles M. Reagan, assistant sales manager, announced.

Tri-States Extends Use of Usherettes

DES MOINES, Dec. 4.—The Tri-States Theatres have replaced the men ushers at the Des Moines Theatre here with six usherettes and one directress. The replacement is being made because of the scarcity of men ushers due to the draft and the higher-paying defense jobs.

The Tri-States organization for years has had usherettes in the Omaha and Orpheum Theatres, and also in the recently opened Paramount at Omaha, and in two of the theatres at Waterloo, Iowa.

Plan Sequel to 'Babes'

HOLLYWOOD, Dec. 4.—M-G-M plans a sequel to "Babes on Broadway," with Mickey Rooney and Judy Garland starred. Called "Babes in Hollywood," it will be directed by Busby Berkeley and produced by Arthur Freed, who made the first.

Joins Miami Circuit

MIAMI, Fla., Dec. 4. — Charles Shaw, of Boston, has been made assistant to Tom Jefferson, publicity and advertising manager of Paramount Enterprises here.

Sears Holds First District Meeting; To Studio Today

(*Continued from page* 1)

"The Shanghai Gesture," "Twin Beds," "The Gold Rush," "The Jungle Book" and "To Be or Not to Be."

In attendance at the meeting were Harry L. Gold, Monroe W. Greenthal, Paul Lazarus, Charles Stern, Arthur Silverstone, C. E. Peppiatt, Bert Stearn, John Dervin, J. D. Goldhar, Sam Glazer, Harry Kosiner, Phil Dow and Clarence Eiseman. A luncheon was held at Toots Shor's restaurant after the meeting.

Sears leaves today on his first trip to the Coast since assuming his U. A. post. He will be accompanied by Edward C. Raftery, president, and Arthur W. Kelly, vice-president and chairman of the finance committee. They will discuss production plans with U. A. producers. On his return, expected in about 10 days, Sears is expected to announce production plans for the coming six months.

Holdovers Continue Well on Broadway

(*Continued from page* 1)

the Blues" will open at the Paramount.

Leading the holdover attractions along Broadway was "Suspicion" at the Radio City Music Hall which, with the stage presentation, grossed an estimated $83,000 for the second week. The third week started yesterday. The film will be followed next Thursday by "Men in Her Life." At the Roxy, "You Belong to Me," supported by a stage show, drew an estimated $36,000 for the week "The Shadow of the Thin Man" brought an estimated $14,800 to the Capitol in its second week.

The second week of "They Died With Their Boots On" grossed an estimated $36,000 at the Strand. The third week started yesterday with Woody Herman's orchestra still the stage attraction. Other long run features did a fair business. "How Green Was My Valley" now in its sixth week at the Rivoli, grossed an estimated $21,700 for the fifth. "Chocolate Soldier" drew an estimated $7,600 for the fifth week at the Astor and goes into the sixth week today. At the Globe, "Swamp Water" is expected to gross an estimated $6,200 for the third week which ends tonight and will be held over.

Basketball League Opens First Season

The Motion Picture Basketball League, recently formed, opened its season with three games Wednesday night at the Heckscher Foundation.

National Theatre Supply beat BMI by a score of 32 to 23, Universal won over International Projector Corp., 37-32, and M-G-M vanquished Paramount in an overtime period by 47 to 39. Further games will be played through the season.

Para. to Do 'Merton'

HOLLYWOOD, Dec. 4.—Paramount plans a remake of "Merton of the Movies" as a musical with an all-star cast. Sol C. Siegel will produce.

• Short Subject Reviews •

"Dick Tracy vs. Crime, Inc."
(Republic)

A SERIAL in 12 parts, this doubtless will lend definite support to the weekend program. It is fantastic, to be sure, but presented in all seriousness by a company of experienced players, it abounds in thrilling action of the sort that attracts and enraptures the serial trade. In the cast are Ralph Byrd as the incredible "Dick Tracy," Michael Owen, Jan Wiley, John Davidson, Ralph Morgan, Kenneth Harlan and others. The yarn has to do with "The Ghost," a fanatic criminal character who with the aid of "science" can fade away into nothing and go along his criminal way, murdering and terrorizing. Based on the content of the first chapter, this is sure-fire material. The first episode runs 28 minutes and the subsequent issues about 20 mins. Release undetermined.

"Changed Identity"
(Miniature Series)
(M-G-M)

This is a good miniature drama, well told in action, enhanced by scarcity of dialogue and possessing a good, surprise ending. The story concerns the assumption by one fugitive of another's identity, only for the first to be apprehended for a crime committed by the other. A substantial contribution to any program. Running time, 10 mins. Release, Nov. 8, 1941.

"Twenty-One Dollars a Day Once a Month"
(Walter Lantz Cartune)
(Universal)

The characters in the toy department are seen marching and cavorting in time to the catchy tune of the title. The color cartoon is cleverly done and should satisfy. Running time, 7 mins. Release, Dec. 1, 1941.

"Jingle Bells"
(Personality and Name-Band Musical)
(Universal)

Here's a good short attraction for the holiday season. In an effective Winter setting, it has the talented and widely known Gloria Jean, sparkling rhythm by the Milt Hearth Trio, and other entertainment bits by "The Sportsmen," male quartette; Lee, Lynn and Lou, feminine trio, and a few others. A good musical that has names and the added advantage of timeliness. Running time, 13 mins. Release, Dec. 24, 1941.

"Fancy Answers"
(Pete Smith Specialty)
(M-G-M)

A quiz reel which, with pictorial asides and breezy commentary, offers a full measure of diversion and incidental information for any audience. The questions are not too difficult and the answers not too obvious. Audiences are allowed 10 to 15 seconds in which to decide the correct answers. Running time, 9 mins. Release, Nov. 1, 1941.

"In the Zoo"
(Speaking of Animals)
(Paramount)

This is another in the series of humorous absurdities in which trick photography plays a part. Making the rounds at a zoo, the off-screen commentator has a little something to say about and to the residents. The trickery comes in as the animals, in turn, look up and retort. There is a lot of good fun in the short. Running time, 10 mins. Release, Oct. 31, 1941.

"Road in India"
(Fascinating Journeys)
(Paramount)

Here the camera moves along a road in India, observing the different natives who to this day observe the traditions of their ancestors of centuries ago. The local rajah, in colorful clothing and the superstitious holy men of the land are typical of those encountered. The short is splendidly photographed in color, and should appeal particularly to the more serious onlooker. Running time, 11 mins. Release, Oct. 24, 1941.

"Flying Bear"
(Lantz Cartoon)
(M-G-M)

The disastrous experience of a flying bear who does his maneuvering above an army airport provides the story for this Lantz cartoon in color. The subject is mildly amusing in its more preposterous moments. Running time, 9 mins. Release Nov. 1, 1941.

"The Quiz Kids, Q1-2"
(Paramount)

The youngsters whose store of knowledge by far exceeds their age are together again with Joe Kelly, who asks the questions and usually receives the correct answers. The new edition should easily pass as agreeable entertainment. Running time, 11 mins. Release, Dec. 5, 1941.

"The Mighty Navy"
(Popeye Cartoon)
(Paramount)

Popeye has a bang-up time in the Navy, utilizing strength rather than "modern design" in weighing the anchor, handling the big guns and the like. When enemy craft encircle his ship he takes care of them, too. The reel is amusing in spots and should serve to brighten the program. Its chief appeal is to children, of course. Running time, 7 mins. Release, Nov. 14, 1941.

"Quick Returns"
(Sportlight)
(Paramount)

Badminton and table tennis experts demonstrate how it should be done in this, which rates about fair for the sports series. The reel is somewhat lacking in excitement in spite of the fact that the games are fast and, no doubt, thrilling for the players Running time, 10 mins. Release, Nov. 28, 1941.

"Hobbies of the Stars"
(Picture People)
(RKO-Pathe)

This is an interesting assortment of shots of Hollywood personalities at leisure. Claire Trevor displays some ancient movies; John Beal and Jean Parker are seen sketching likenesses of each other; Alexander Korda, Mary Pickford, Charles Chaplin and David O. Selznick sign a "contract" for the camera, and Bob Burns at his home in San Fernando Valley tells a few stories about his dogs. Helen Broderick is the narrator. Running time, 9 mins. Release, Nov. 7, 1941.

"Doin' the Town"
(Personality and Name-Band Musical)
(Universal)

Not outstanding but more than usually entertaining is this musical with Ozzie Nelson and orchestra, Helen Parrish, Butch and Buddy, Rose Ann Stevens and others. A few tunes are played and sung by Nelson and Miss Parrish, Butch and Buddy and seen briefly to advantage, and Miss Stevens tops it off nicely with an amusing ditty sung with Nelson. Running time, 16 mins. Release, Nov. 26, 1941.

"Polo Champions"
(World of Sports)
(Columbia)

Bill Stern, as commentator, traces the entire story of polo from the training of the ponies to some shots of championship matches. It is an interesting reel, both for lovers of the game and for those who want to learn what it is about. Pictures of the Meadowbrook stars and games are particularly good. Running time, 10 mins. Release, Nov. 11, 1941.

"The Art of Skiing"
(Disney Cartoon)
(RKO-Pathe)

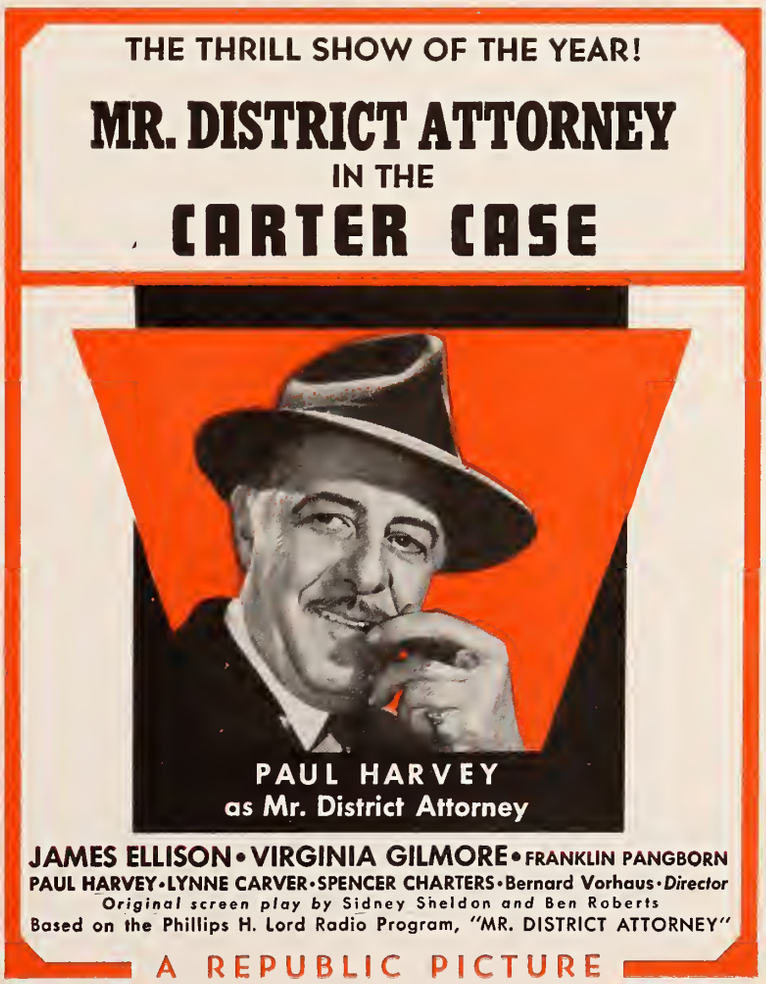
Presenting "Goofy" in all sorts of contortions as he tries to demonstrate the proper technique of skiing, Disney scores again with a real laugh provoker. Goofy's performance on the skis is good for almost continuous laughter. Running time, 3 mins. Release, Nov. 14, 1941.

'Night,' Show Big $34,000, Philadelphia

PHILADELPHIA, Dec. 4. — With Thanksgiving Day heavy business was enjoyed by most of the downtown houses. Combination of Erskine Hawkins band and the Ink Spots on the stage with "Night of January 16" on the screen gave the Earle $34,000.

Estimated receipts for the week ending Nov. 25-28:

"Sergeant York" (W.B.)
ALDINE—(1,400) (46c-57c-75c) 6 days, 6th week. Gross: $9,500. (Average, $9,000)
"Smilin' Through" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 6 days, 2nd run, 2nd week. Gross: $3,000. (Average, $2,600)
"It Started with Eve" (Univ.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $13,500. (Average, $13,000)
"Night of January 16" (Para.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Erskine Hawkins orchestra, the Four Ink Spots, etc. Gross: $34,000. (Average, $14,000)
"Moon Over Her Shoulder" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville. Gross: $7,000. (Average, $6,900)
"Skylark" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $15,000. (Average, $13,000)
"Unfinished Business" (Univ.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,000. (Average, $3,000)
"Sundown" (U.A.)
KEITH'S—(2,200) (35c-41c-46c-57c-69c) 7 days, 2nd run. Gross: $3,500. (Average, $4,500)
"They Died With Their Boots On" (W.B.)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. (Average, $14,000)
"Target for Tonight" (W.B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $7,500. (Average, $4,500)



'Thin Man' in Seattle Takes Good $9,400

SEATTLE, Dec. 4.—"Shadow of the Thin Man" at the Fifth Avenue was the week's best bet, taking $9,400. "Sundown" at the Liberty and "It Started With Eve" at the Orpheum were good. The weather was mild.

Estimated receipts for the week ending Nov. 28:

"Birth of the Blues" (Para.)
"The Little Foxes" (RKO)
BLUE MOUSE—(950) (30c-40c-58c-70c) 7 days, 3rd week. ("Blues" moved from Paramount: "Foxes" moved from Fifth Avenue.) Gross: $4,100. (Average, $4,000)
"Shadow of the Thin Man" (M-G-M)
"The Parson of Panamint" (Para.)
FIFTH AVENUE—(2,500) (30c-40c-58c-70c) 7 days. Gross: $9,400. (Average, $7,000)
"Sundown" (U.A.)
"Niagara Falls" (U.A.)
LIBERTY — (1,800) (30c-40c-58c-70c) 7 days. Gross: $7,200. (Average, $6,000)
"International Squadron" (W.B.)
"The Smiling Ghost" (W.B.)
MUSIC BOX—(950) (30c-40c-58c-70c) 7 days, 2nd week. Moved from Orpheum. Gross: $3,600. (Average, $4,000)
"It Started with Eve" (Univ.)
"Swing It, Soldier" (Univ.)
ORPHEUM—(2,450) (30c-40c-58c) 7 days. Gross: $7,100. (Average, $6,000)
"Down Mexico Way" (Rep.)
PALOMAR—(1,500) (20c-30c-40c-58c) 7 days. Stage: Vaudeville. Gross: $5,500. (Average, $5,000)
"Hot Spot" (20th-Fox)
"Great Guns" (20th-Fox)
PARAMOUNT — (3,050) (30c-40c-58c) 7 days. Gross: $5,900. (Average, $6,000)

'Flying' Is Detroit Winner at $23,000

DETROIT, Dec. 4. — During mild weather, the Fox reported $23,000 for "Keep 'Em Flying" and "The Perfect Snob." The Michigan did $18,000 with "Birth of the Blues" and "The Big Store."

Estimated receipts for the week ending Nov. 27:

"Appointment for Love" (Univ.)
"Three Girls About Town" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $5,500)
"Charley's Aunt" (20th-Fox)
"Ringside Maisie" (M-G-M)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"Keep 'Em Flying" (Univ.)
"The Perfect Snob" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $23,000. (Average, $15,000)
"Birth of the Blues" (Para.)
"The Big Store" (M-G-M)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $18,000. (Average, $12,000)
"The Maltese Falcon" (W.B.)
"Kisses for Breakfast" (W.B.)
PALMS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $7,000)
"Honky Tonk" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 5th week. Gross: $9,000. (Average, $10,000)

Recovering After Fire

DOVER, N. H., Dec. 4.—Mel Morrison, manager of the M. & P. Strand here, his wife and their three small children are recovering at Wentworth Hospital from injuries sustained when they escaped from their home here after it caught fire. Chet Stoddard, district manager, who was visiting them, escaped with minor bruises.

Mitchell Is Signed

HOLLYWOOD, Dec. 4.—Twentieth Century-Fox has signed Thomas Mitchell for "Moontide" and "This Above All."

Off the Antenna

NILES TRAMMELL, NBC president, yesterday announced the final results of elections in 13 of the 14 districts of the NBC Stations Planning and Advisory Committees on National Defense. Seven districts have been laid out on both the Red and Blue networks, and affiliated stations voted for representatives on their respective networks. The committees will meet Jan. 6 and 7 and quarterly thereafter.

The Red committee consists of Paul W. Morency, WTIC, Hartford, Conn.; James D. Shouse, WLW, Cincinnati; Stanley Hubbard, KSTP, St. Paul; Harry Stone, WSM, Nashville; O. L. Taylor, KGNC, Amarillo, Tex.; Ed Yocum, KGHL, Billings, Mont., and Arden X. Pangborn, KGW, Portland, Ore. For the Blue, with District 6 unreported, the committee includes: Harry Wilder, WSYR-WTRY, Troy-Syracuse, N. Y.; Allen Campbell, WXYZ, Detroit; Earl May, KMA, Shenandoah, Ia.; Henry P. Johnston, WSGN, Birmingham, Ala.; Harold Hough, KGKO, Fort Worth, Tex., and Howard Lane, KFBK, Sacramento, Cal.

• • •

Purely Personal: *Joe Haward, star of the CBS "Gay Nineties" shaw, has had his autobiagraphy, "Jae Haward's Life—I Wander Wha's Kissing Her Now," aeeepted far publieatian by Scribners. . . . Bill Pennell, farmerly af WIOD, Miami, has jained the WHN announeing staff. . . . Jahn Flora, who has been assisting Stan Shaw on "Milkman's Matinee" far seven years over WNEW, will aet as substitute far Shaw an Sundays and Mandays. The additian was made neeessary by the shift of the statian's frequeney whieh permits it ta be on the air seven days instead af six. . . . Lew Walker, WBYN announeer, is the father af a daughter.*

• • •

Walter Murphy, college editor of the CBS publicity department, has been promoted to the post of publicity director of WEEI, the CBS station in Boston, it was announced by Louis Ruppel, the network's publicity head. Murphy succeeds Dorothy Drake, who died recently.

• • •

NBC short wave, beginning Monday, will add a Finnish program to its schedule beamed daily to Europe. The program will be broadcast from 1:30-2 P.M. EST and will consist of news reports and commentary. It will also be carried by WBOS, 50,000 watt short wave station in Boston, Arvo Haapa, American-born newspaperman of Finnish descent, will handle the program. Finnish is the eighth language to be heard over NBC short wave. Others are English, French, German, Italian, Portuguese, Spanish and Swedish.

• • •

Program News: *Walter Winchell's "Jergen's Jaurnal" will ariginate from WKAT, Miami, beginning Manday. . . . Cedrie Faster, news analyst, will handle the WOR-Mutual annual raundup af the 10 best staries af the year, "1941 In Review," Sunday, Dec. 28. . . . Charles Hadges, war editar far Transradio Press and prafessor af government at N. Y. U., will start a news cammentary program, "Mema far Tamarrow," aver WNEW Sundays 1-1:15 P.M., beginning this week.*

Commercial Television Not Pushed by NBC: Morton

"NBC doesn't want to push commercial television too fast. We'd rather do a good job for the sponsors we have and gradually increase them," Alfred H. Morton, NBC vice-president in charge of television, said yesterday.

"There is no problem in getting sponsors at this time," he continued. "If we wanted to do so, we could fill up every minute of the 15 hours of weekly program with sponsored programs but we are not yet equipped to give them all satisfactory service."

Four Regular Sponsors

At present, WNBT—NBC's television station—has four sponsors on regular contract. They are Bulova, with one-minute time signals; Botany Worsted Mills, with weather forecasts on cartoon films; Adam Hats, which sponsors the weekly wrestling bouts, and Goldmark Hosiery which sponsors a beauty contest each week. Thus, about two hours of the 15 each week are paid for by sponsors, Morton pointed out.

"Each week, listeners send us their ratings of programs," he stated. "Using 3 as a basis for unaminous rating as 'excellent,' we find all three shows rated above 2.5 ever since they started. The entire program schedule hasn't been under 2.35 for the past six weeks."

Two Improvement Factors

Morton accounts for the improvement in program quality by two major factors. The first is the practice of planning the entire month's schedule at least one month in advance, thus permitting better production and longer time to obtain a suitable cast, and the second is the practice of a rigid schedule for rehearsals, thus assuring greater time. "Television couldn't do these two simple things before, but we're on a steadier basis and 1942 will see even greater improvement in programs," he declared.

With the football season about over, most of NBC's television activities in sports will shift to Madison Square Garden. There is a possibility that Pabst Beer may sponsor basketball from there, Morton revealed.

Continue SWG Talks

HOLLYWOOD, Dec. 4.—The negotiating committee of the Screen Writers Guild met today again with producer representatives.

F.C.C. Authorizes Two New Stations; Gets Pleas on Four

WASHINGTON, Dec. 4.—The FCC has granted construction permits for two new stations and received applications for four others.

The permits were granted to the Tar Heel Broadcasting System, Inc., for a 930-kilocycle, 1,000-watt day station at Washington, N. C., and the Baltimore Radio Show, Inc., for a 45,900-kilocycle FM station at Baltimore.

The applications were submitted by the Josh Higgins Broadcasting Co. for a 1,540-kilocycle, 50,000-watt station at Waterloo, Iowa; the Sacandaga Broadcasting Corp. for a 1,340-kilocycle, 250-watt station at Gloversville, N. Y.; the Ludington Broadcasting Co. for a 1,490-kilocycle, 250-watt station at Ludington, Mich., and the Hawley Broadcasting Co. for a 46,500-kilocycle FM station at Reading, Pa.

Seeks Frequency Change

An application also was filed by Station WKBZ, Muskegon, Mich., for change of frequency from 1,490 to 1,450 kilocycles.

The commission ordered hearings, on dates to be set later, on the applications of S. Brad Hunt for a new 1,030-kilocycle, 1,000-watt day station at Alton, Ill.; Station WSON, Henderson, Ky., for increase of day power to 500 watts, and Station WIRE, Indianapolis, for change of frequency to 1,190 kilocycles, increase of power to 50,000 watts and move of transmitter from Indianapolis to Zionsville, Ind.

FCC Cuts Listing of Newspaper Stations

WASHINGTON, Dec. 4.—The FCC today revised downward its estimate of the percentage of broadcasting stations owned by newspaper interests, deleting from its list 49 of the 298 stations which earlier it had classified as newspaper-owned.

The Commission's action was taken at the resumption of hearings on newspaper ownership, but the new figure immediately was attacked by Harold Hough, of the Fort Worth, Tex., *Star-Telegram*, chairman of the Newspaper Radio Committee, who charged that many of the stations still listed should be eliminated.

Hough pointed out that the new exhibit placed stations in two groups, one of which, he said, consisted of stations where the newspaper interest is so minor that the paper has no control of their operations.

Para. Sets Ginger Rogers

HOLLYWOOD, Dec. 4.—Ginger Rogers will be starred by Paramount in "The Major and the Minor," which Arthur Hornblow will produce. The film will precede the recently announced "Crystal Ball" on Paramount's schedule.

Mathews-Berle Nuptials

BEVERLY HILLS, Calif., Dec. 4.—Joyce Mathews was married here today to Milton Berle at the home of his mother, Mrs. Sandra Berle.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 112 NEW YORK, U. S. A., MONDAY, DECEMBER 8, 1941 TEN CENTS

U.S. Seeks to Speed Trial of Schine Action

Will Demand Early Reply To Interrogatories

BUFFALO, Dec. 7.—The Government is scheduled to petition Federal Judge John Knight in U. S. District court here this morning for an order directing United Artists, Columbia and Universal to supply answers to Government interrogatories in the Schine circuit anti-trust suit on or before Dec. 22.

The move follows receipt of a communication from Louis D. Frohlich, of counsel for Columbia, advising Seymour Simon, assistant to the U. S. Attorney General, that he will be unable to agree to trial of the suit before Feb. 15 at the earliest and that he will be unable to file answers to Government interrogatories before Jan. 15.

The Government has endeavored to arrange for the trial to begin early in

(*Continued on page 3*)

W. B. Named in Ten Bioff Payment Suits

Warner Bros. has been named defendant in a total of 10 stockholders' suits arising from disclosure of extortion payments allegedly made to William Bioff and George E. Browne, according to an application made on Friday by Warners to consolidate the suits. N. Y. Supreme Court Justice Ferdinand A. Pecora reserved decision on the application which included a plea for a stay of all examinations before trial of Warner officials.

Justice Isador Wasservogel on Friday ordered consolidation of eight suits pending against Loew's, Inc., brought on similar charges. All actions seek an accounting by officers of the payments, contending that they were illegal.

See Olsen in Chicago Post Held by Browne

CHICAGO, Dec. 7.—Frank C. Olsen, acting business agent of the IATSE stagehands' local here several years, was appointed by a roll-call vote at a meeting Friday to continue until the union's regular elections in May. Observers believe that Olsen will be elected at that time to the post of business agent, which formerly was held by George E. Browne.

Atlas Corp. Owned 43% RKO Common In Oct., SEC Shows

WASHINGTON, Dec. 7.—Atlas Corp. holdings in RKO amounted to approximately 43 per cent of the company's common stock, exclusive of warrants, and well over one-third of the RKO preferred stock outstanding at the end of October, according to a Securities & Exchange Commission report. Floyd B. Odlum is president of Atlas Corp.

During October Atlas purchased 10,800 shares of RKO common and 1,500 shares of convertible preferred, bringing its holdings at the end of the month to 843,223 shares of common direct and 268,230 shares through the American Co., a subsidiary, in addition to 327,812 warrants for common and 47,571 shares of preferred. There are 2,753,053 shares of common outstanding and 128,170 shares of convertible preferred.

Some of the heaviest transactions in film securities in months were revealed in the report for October. Manufacturers Trust Co., New York, purchased $169,000 par value of

(*Continued on page 3*)

File 28th Complaint With Local Board

The New York arbitration board's 28th complaint was filed Friday by Drake Amusement Corp., operator of the Central, Cedarhurst, L. I. The complaint names the five consenting companies and seeks an award establishing maximum clearance after Far Rockaway and Lynbrook first runs at one or three days rather than the present seven days.

The complainant also asks that distributors be required to license both

(*Continued on page 3*)

SOLID FRONT AIM OF CHICAGO MEET

Kent Designates Connors To Represent Him as First Official Task

CHICAGO, Dec. 7.—Blending of exhibitor goodwill with distributor interest will be the principal aim of the all-industry unity conferences scheduled to get under way at the Blackstone Hotel here on Tuesday, in the opinion of observers.

Cementing the links between the exhibitor and the distributor will bring about that fundamental basis for unity whereby a united front thereafter can be achieved against problems facing the business from the outside. These problems are many, but principally they can be reduced to three divisions, taxation, legislation and publicity, these observers say.

Sidney R. Kent, president of 20th Century-Fox, has designated Tom Connors as his representative at the all-industry conference. This will be Connors' first official task for the company with which he recently signed a contract as personal assistant to Kent.

Connors will attend the unity meeting with Felix Jenkins, general counsel of the company. Designation of Connors to attend the meeting was announced by Kent Friday in New York. His statement follows:

"Mr. Connors and I are in full accord on the program of industry co-

(*Continued on page 4*)

60 Montreal Houses Cited on Child Laws

Montreal, Dec. 7.—About 60 actions have been taken by the Quebec Attorney General's department against Montreal theatres on charges of admitting children under 16 years contrary to law, officials announced over the weekend. The officials stated that such actions will continue. Twelve exhibitors have pleaded guilty. The majority of them were fined $10 and costs.

Report U.A. Talks Milestone, Hitchcock Deal; Rogers Signed

Lewis Milestone and Alfred Hitchcock are among the reported producer possibilities for United Artists. On Friday, Gradwell L. Sears, vice-president in charge of distribution, announced that the company had signed Charles R. Rogers for a releasing deal.

David O. Selznick, producer-owner of U. A., has postponed his departure for the Coast until today, it was learned over the weekend. His next picture, it is reported, will be "Keys to the Kingdom," with Ingrid Bergman. He is reported additionally

(*Continued on page 3*)

Chicago Chief Reverses Adult Rating for 'Woman'

Police Commissioner James P. Allman of Chicago on Friday overruled the local police censor's "adults only" classification for "Two-Faced Woman," and ordered the film be classified for general patronage.

The censor had approved the picture with the reservation after making two cuts, and the picture had been showing under these conditions at the United Artists Theatre. The Commissioner attended a private screening of the film Thursday night, and

(*Continued on page 4*)

Lift Restriction on Power in Southeast

WASHINGTON, Dec. 7.—Heavy rains throughout the affected territory enabled the Office of Production Management to lift all restrictions on the use of power in the Southeastern states from North Carolina south on Friday, 10 days before the date set for the "Christmas lighting" of theatre marquees and store windows.

For the first time in many months, it was said, the area had sufficient water in sight for normal power.

Oscar Deutsch Dies; British Odeon Head

LONDON, Dec. 7.—Oscar Deutsch, 48, chairman and managing director of Odeon Theatres, Ltd., one of the leading English circuits, died suddenly on Friday. Odeon controls approximately 300 theatres.

Deutsch, an important figure in the British film industry for many years, entered the business in distribution, as chairman of W. & F. Film Service (Midlands), Ltd. He entered exhibition in 1925, but it was not until 1933 that he began to build the Odeon circuit.

He was born in Birmingham, Aug. 12, 1893, and was educated at King Edward's School, Birmingham, and Ecole Universale, Luxembourg. He was engaged in the metal business be-

(*Continued on page 3*)

'Golden Wings' to Open Here Tonight

"Golden Wings," a play about the Royal Air Force by William Jay and Guy Bolton, will open at the Cort tonight. Heading the cast are Fay Wray and Sigrid Hasso. Robert Milton produced and staged the play. Setting is by Watson Barratt.

Rubin, Zukor Speak At N.Y.U. Film Fete

J. Robert Rubin, vice-president of Loew's, described as "most welcome" the new motion picture department at New York University, at a tea at the University's East Building on Friday which inaugurated the course. Rubin pledged that the industry will provide "the utmost cooperation and help in every way we can."

Adolph Zukor, Paramount board chairman, who also addressed the gathering, said that the department will be helpful in creating new production talent. An address of Chancellor Harry Woodburn Chase was read. Other speakers were Dean Charles Maxwell McConn and Professor Robert Gessner.

The meeting was attended by executives and representatives of film companies including Barney Balaban, Carl Milliken, Austin Keough, John Byram, Al Wilkie, M. J. Weisfeldt, William Clark, Archie Patterson, Albert Dean, Rose Hirsch, William Fadiman, Hattie Baker and others.

Seaman Is Elected Baltimore Club Head

BALTIMORE, Dec. 7.—Bernard Seaman has been elected chief barker of the local Variety Club for the ensuing year. He replaces William C. Hicks. Others elected include: first assistant barker, Edward Perotka; second assistant barker, Rodney Collier; secretary, Barry Goldman; treasurer, Frank H. Durkee.

The newly elected board of governors consists of J. Louis Rome, Hicks, Joseph Grant, Howard A. Burman, Edwin A. Sherwood, Leonard J. McLaughlin and Lauritz Garman.

Film to Roxy Xmas Day

The 20th Century-Fox picture, "Remember the Day," will open at the Roxy Theatre on Christmas Day, a Thursday. The theatre usually opens its new films on Friday.

Personal Mention

SAMUEL GOLDWIN left for Hollywood Friday night.

•

GRADWELL SEARS and ARTHUR W. KELLY left Friday for the Coast and are due there today. EDWARD C. RAFTERY arrived on the Coast Friday from Nashville by plane.

•

JOHN OJERHOLM, head of Paramount's British laboratory, is scheduled to leave Lisbon by boat for New York today.

•

JAMES MULVEY, vice-president and Eastern representative for Samuel Goldwyn, Inc., has returned from Florida.

•

SAMUEL PALAN, Monogram salesman in Philadelphia, has recovered from an illness.

ROBERT T. KANE, 20th Century-Fox British production head, and FRANCIS L. HARLEY, the company's managing director in Great Britain, are due here Friday by clipper.

•

N. PETER RATHVON, chairman of the RKO executive committee, has left for the Coast.

•

DAVID ROSE, Paramount managing director for Great Britain, was expected here from Lisbon over the weekend.

•

WILLIAM S. SAXTON, Loew's city manager, Baltimore, visited his parents in Long Island last week.

•

MORRIS MECHANIC, owner of the New Theatre, Baltimore, spent the weekend in Atlantic City.

20th-Fox, Warners Set Trade Showings

Twentieth Century-Fox and Warners have announced trade showings on new pictures. On. Dec. 22 and 23, Warners will show five: "Dangerously They Live," "The Man Who Came to Dinner," "Sons of the Sea," "Wild Bill Hickock Rides" and "Kings Row." Exact dates and times will be announced later.

Twentieth Century-Fox will show six, as follows: "Blue, White and Perfect" and "Remember the Day," Dec. 19; "Son of Fury" and "Young America," Jan. 5; "A Gentleman at Heart" and "You Can't Always Tell," Jan. 6.

Phila. Variety Club Names New Board

PHILADELPHIA, Dec. 7.—The local Variety Club has elected the following to new board of directors for next year: Harry Biben, James P. Clark, Alfred J. Davis, Al Fisher, Charles Goodwin, William McAvoy, Edgar Moss, Ted Schlanger, Samuel H. Stiefel, David Supowitz and Elmer O. Wilschke.

The following ex-barkers are automatically members of the board: Earle W. Sweigert, Jay Emanuel, Dr. Leon Levy, William J. Clark, Jack Beresin and Ben Amsterdam.

Dnieper Story to Balcon

Michael Balcon, production head of Ealing Studios in England, has acquired the film rights to a story by Sergei Nolbandov and M. Danischewsky on the building and destruction of the Russian Dnieper Dam.

Albany Fete Honors M. A. Silver Tonight

ALBANY, Dec. 7.—Several hundred persons are expected to attend the testimonial dinner to M. A. Silver, recently appointed Warner Theatres zone manager in Pittsburgh, at the Hotel Ten Eyck here tomorrow night. Delegations are expected from New York, Buffalo, Cleveland and Pittsburg. Gov. Herbert H. Lehman is scheduled as one of the principal speakers. James J. Walker, former Mayor of New York, will be toastmaster.

Young, Marquand Honored at Party

Robert Young and J. P. Marquand, star and author, respectively, of "H. M. Pulham, Esq.," were guests of honor at a cocktail party at the Shell Room, RCA Building, on Friday. The M-G-M film is scheduled to open at the Radio City Music Hall, Dec. 18.

Among those present were Gus S. Eyssell, Alice Thompson, Terry Ramsaye, Si Seadler, Sam Shain, Art Schmidt, A-Mike Vogel, Eileen Creelman, Tom Rogers, Ray Bell and William Ferguson.

Roach Drops Suit Over Metro Pacts

Formal stipulation discontinuing the $1,289,000 damage suit of Hal Roach Studios, Inc., against Loew's, Inc., and M-G-M Distributing Corp. was filed Friday in U. S. District Court here. No details were given. The plaintiff had charged the defendants with violations of a series of distribution contracts made between 1936 and 1940.

Hawks Rites in Baltimore

Funeral services for Wells Hawks, 71, well known publicity man, are to be held in Baltimore. He died in Pomona, N. Y., on Thursday. He represented many stage and screen stars, including Mary Pickford, and at one time was with Fox Film Corp. He had been an invalid since 1927.

Phila. W. B. Club Party

PHILADELPHIA, Dec. 7.—The local Warner Club will hold its annual Christmas party Dec. 19 in the club rooms.

Reorganize Film Board in Canada

OTTAWA, Dec. 7.—As a result of the appointment of John Grierson as National Film Commissioner of the National Film Board in Canada for a period of three years, there has been a reorganization, necessitated by the absorption of the Motion Picture Bureau, formerly part of the Department of Trade and Commerce.

Ross McLean, who has been Grierson's assistant, is now Assistant National Film Commissioner. Allan McLeon, formerly in another branch of the Department of National War Services, of which the Film Board is now a part, has been appointed controller and secretary of the board. There has been no change in other officers in their transfer to the Film Board.

Conn. MPTO Dinner Is Set for Tomorrow

NEW HAVEN, Dec. 7.—Plans have been completed for the Connecticut MPTO dinner-dance on Tuesday evening at the Hotel Taft, to which all industry representatives in this territory have been invited. Approximately 300 are expected. George H. Wilkinson, Jr., is general chairman, Herman M. Levy is executive secretary, and Samuel Seletsky is treasurer.

N.Y. Allied Complains About Shorts Forcing

ALBANY, Dec. 7.—The New York State unit of national Allied has written to the five consenting companies—M-G-M, Warners, RKO, Paramount and 20th Century-Fox—at their Albany, Buffalo and New York exchanges concerning complaints made by exhibitors as to the forcing of shorts and newsreels in alleged violation of the consent decree.

Para. Extends Time On Debenture Trade

Paramount has extended to next Friday its offer to exchange the outstanding 3¼ per cent debentures for new 4 per cent debentures due in 1956. The offer previously was scheduled to expire last Friday. Old debentures not offered for exchange will be redeemed at par plus accrued interest on and after Saturday.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!
—*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats., Sun., Wed. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

MITCHELL MAY, Jr. CO., INC.
INSURANCE
Specializing in requirements of the Motion Picture Industry
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510 W. 6th St. Los Angeles

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Flying' Gets $9,400, Lead Frisco Gross

SAN FRANCISCO, Dec. 7.—"Keep m Flying" and "South of Tahiti" d on a comparative head on a comparative basis with $9,400 e Orpheum, and the second week "Look Who's Laughing" drew 4,800 at the Golden Gate.

Estimated receipts for the week ding Nov. 25-28:

Look Who's Laughing" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 ays, 2nd week. Stage: Vaudeville. ross: $14,800. (Average, $15,000)
Sundown" (U.A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) days. Gross: $8,500. (Average, $7,500)
Keep 'Em Flying" (Univ.)
South of Tahiti" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 ays. Gross: $9,400. (Average, $8,000)
Birth of the Blues" (Para.)
Parson of Panamint" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) days. Gross: $13,500. (Average, $11,500)
Shadow of the Thin Man" (M-G-M)
3 Sons o' Guns" (W.B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. ross: $15,500. (Average, $16,000)
Hot Spot" (20th-Fox)
Great Guns" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) days, 2nd week (moved over from Fox). ross: $4,700. (Average, $4,500)
Chocolate Soldier" (M-G-M)
Married Bachelor" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 ays. Gross: $10,500. (Average, $12,000)
The Eternal Gift" (Servite Fathers)
CLAY—(400) (15c-35c-45c) 7 days. Gross: 600. (Average, $1,000)

'Thin Man' Scores High, Indianapolis

INDIANAPOLIS, Dec. 7.—"Shadows of he Thin Man" did a smash $15,000 at Loew's, with "Two Latins from Manattan" sharing the bill. At the Indiana, "Keep 'Em Flying" and "Mob Town" took $12,500.

Estimated receipts for the week ending Nov. 27:

The Maltese Falcon" (W. B.)
Law of the Tropics" (W. B.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $8,600. (Average, $6,500)
Keep 'Em Flying" (Univ.)
Mob Town" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $12,500. (Average, $7,000)
Shadow of the Thin Man" (M-G-M)
Two Latins from Manhattan" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $15,000. (Average, $8,000)
International Squadron" (W. B.)
Father Takes a Wife" (RKO)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $4,000. (Average, $4,500)

Report U.A. Talking Deal with Producers

(Continued from page 1)

endeavoring to obtain the services of Robert Donat for the principal male role in the film. It is expected by observers that Selznick will have completed this picture by the end of next year.

It was announced that the new Rogers' organization will produce three pictures for U. A. The first will be "Three Blondes and a Red Head." The second, it was stated, will be a musical comedy starring Jessie Matthews, and the third "The Powers Girls."

Lunch for Cresson Smith

RKO tendered a farewell luncheon at Toots Shor's Restaurant on Friday to Cresson E. Smith, who resigned as Western division manager to join United Artists and make his home on the Coast. Ned E. Depinet was toastmaster.

Golden Calls Film Mightier Than Tank in Modern Time

WASHINGTON, Dec. 7.—In modern times, it is the picture which is mightier than the tank, supplanting the pen which was mightier than the sword, Nathan D. Golden, motion picture consultant of the U. S. Department of Commerce, declared in an article in *Foreign Commerce Weekly*, issued yesterday.

Extolling the industry's role in domestic commerce and the maintenance of morale, Golden also pointed to the contribution of motion pictures to foreign relations and world trade.

Golden called the influence of films on foreign trade "noteworthy in many ways." Noting that 230,000,000 people see motion pictures every week, Golden called motion pictures an "animated catalogue" of the nation's goods. In normal times, he added, 70 per cent of all motion pictures shown in foreign markets were of U. S. origin. "That American sales abroad were materially aided by that fact admits of no doubt," he observed.

Of major significance, Golden said, was the contribution of films to morale. The U. S. Army M. P. Service operates 555 theatres at 277 army posts with an average attendance of 277,500 daily. There are 2,120 programs weekly with one feature and at least two shorts and with frequent personal appearances of film stars.

Neutral countries have indicated their preference for U. S. films, Golden said, pointing to the fact that in Swedish theatres 56.1 per cent of all product came from the U. S. in 1940 as compared with only 60.8 per cent in 1939.

File 28th Complaint With Local Board

(Continued from page 1)

its Central and Lynbrook theatres on a single contract.

Dismiss Para. in Chicago Case

CHICAGO, Dec. 7.—Paramount was dismissed from the Alcyon Theatre, Highland Park, Ill., clearance case on Friday at the complainant's request. The case was continued until further notice. Arbitrator Slater directed that briefs filed on a motion for dismissal by counsel for intervening theatres on the ground that no clearance exists and the lack of arbitrator's jurisdiction.

Atlas Held 43% of RKO Common Stock

(Continued from page 1)

Paramount's 1947 debentures during the month and disposed of $3,341,800, leaving it with $20,000 at the end of the month.

Jack L. Warner added 22,900 shares of Warner Bros. common, bringing his holdings to 125,860 shares at the close of the month.

KAO Preferred Dividend

Directors of Keith-Albee-Orpheum Corp. on Friday declared a dividend out of operating surplus of $1.75 a share on the seven per cent cumulative convertible preferred stock for the quarter ending Dec. 31. The dividend is payable Jan. 2.

Mutual November Billings $958,935

Mutual's gross billings for November of $958,935 set an all time one-month record for the web, it was reported over the weekend. The increase was 52.8 per cent over the same month last year, and 85.7 per cent if 1940 political billings are deducted.

The 11-month cumulative figure of $6,352,457 was also the highest ever set by the network during a similar period, topping the 1941 total by 58.1 per cent, and by 62.6 per cent if 1940 political billings are deducted.

Flamm Seeks Permit For New York Station

WASHINGTON, Dec. 7.—Donald Flamm, former owner of WMCA, New York, has applied to the FCC for a construction permit to build a new station in New York to operate on 620 k. c. with 5,000 watts, unlimited time.

Reopen Brooklyn Theatre

Kant Amusement Corp., of which Jesse L. Stern is president and Louis Kanturek secretary and treasurer, has reopened the Empress, Brooklyn, as the Brown Theatre.

U.S. Seeks to Speed Trial of Schine Action

(Continued from page 1)

January, according to George L. Grobe, U. S. Attorney here.

Simultaneously, the Government filed a 28-page supplemental bill of particulars.

Restated in clearer form are 45 names and locations of theatres to which preference or protection allegedly was granted by the distributor defendants. Listed are 27 theatres in four states which, according to the Government, were acquired by Schine after they were granted preference over competing theatres. Forty competing theatres over which Schine allegedly obtained privileges are listed.

Also given are 73 houses which, the Government charged, the distributors have refused to license on a local competitive basis.

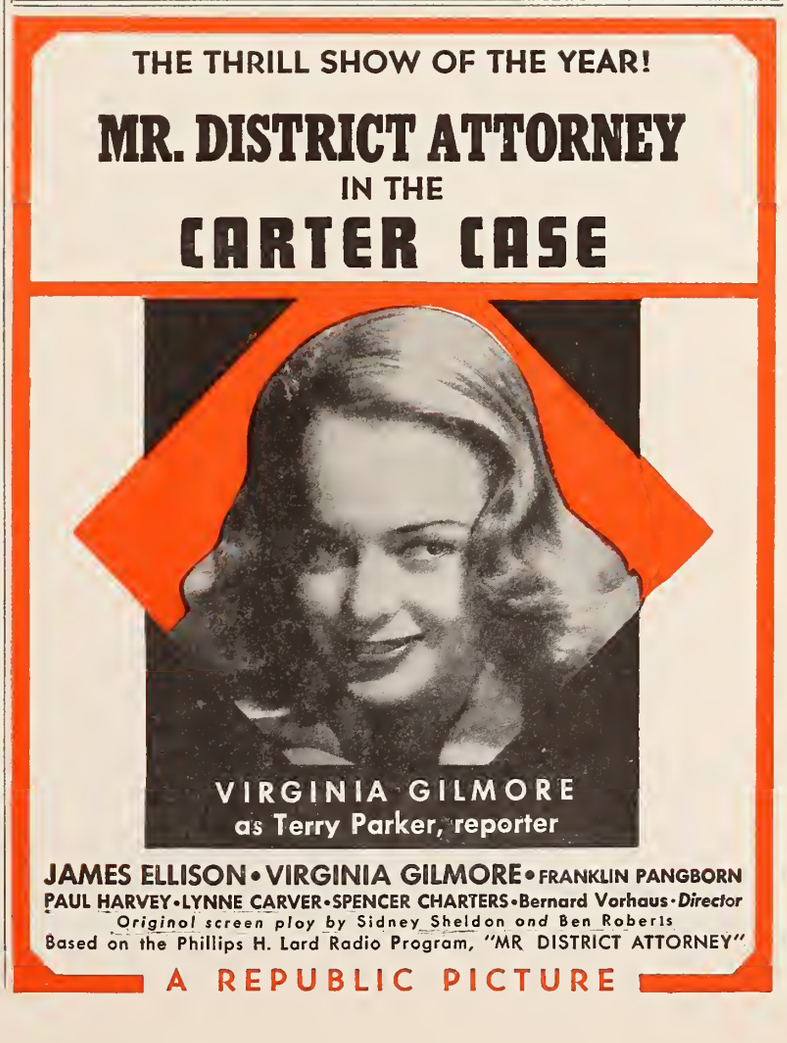
Oscar Deutsch Dies; British Odeon Head

(Continued from page 1)

fore entering the film industry, and was chairman of the Birmingham and Midlands Branch of the Cinematograph Exhibitors Association in 1931-'32.

Companies in which he was interested included Sound Equipment, Ltd., Denham Laboratories, Ltd., Scophony, Ltd., and several others.

He leaves a widow. They had no children.



Industry Front Aim of Chicago Unity Meeting

(Continued from page 1)

operation, and his attendance at the Chicago meeting has been made possible through the kindness and courtesy of Mr. Nicholas M. Schenck, who has allowed him to finish his work at M-G-M a week earlier than expected, in order to represent 20th Century-Fox at this coming meeting."

Although at least two of the major companies, such as Universal and United Artists, will not be represented, a welding of interest internally in the trade among all divisions of the business will be attempted, it is said.

Three 'Uns' a Target

A unified front against "unjust taxation" "unfair legislation" and "unfavorable publicity" — the "Three Uns"—appears to be the slogan which may arise from the discussions to get started Tuesday. Similarly, the advance guard of delegates feel that the slogan covers the three great divisions of the industry—distribution, production and exhibition.

Barney Balaban, Paramount president, and Neil Agnew, vice-president and general sales manager, will attend the meeting. Austin Keough and Claude Lee of Paramount were reported earlier as slated to represent the company.

Balaban is the third major company president to accept an invitation to attend the meeting, Nicholas M. Schenck of Loew's and George J. Schaefer of RKO having accepted earlier.

All Exhibitor Groups To Be Represented

WASHINGTON, Dec. 5.—Every distributing company except Universal and United Artists and every exhibitor organization without exception will be represented at Allied's unity meeting, it was said tonight by Abram F. Myers, Allied States chairman.

All participating distributors will be represented by several officials, Myers said. The exhibitor organizations will be represented either directly or through a national group.

The meeting will be the first all-industry conference to be held since the motion picture trade practice conference in 1927, Myers said, pointing out that no general meeting of all branches of the industry was held even during the NRA days.

Lab Union Extends Picketing in Strike

Laboratory Technicians Union, Local 702, extended its activities in the five-weeks-old strike against Movielab Film Laboratories by starting secondary picketing against Commonwealth Pictures and Guaranteed Pictures on Friday. Similar picketing will be started against Institutional Pictures today and against other customers in the near future, according to John H. Rugge, president.

Serial in 15 Episodes

Republic's serial, "Dick Tracy vs. Crime Inc." is presented in 15 episodes and not 12, as was stated in MOTION PICTURE DAILY'S review.

Reviews

"Bahama Passage"

(Paramount)

THIS film, produced and directed by Edward H. Griffith, gives the exhibitor a number of good selling points. There is a beautiful background of sea, sky and a tropical isle, photographed magnificently in color. There is Madeleine Carroll, perhaps more attractive than ever before, and wearing costumes that suggest romance in the South Seas. Finally there is Stirling Hayden, a handsome blond who might easily become one of the most popular male stars.

Beyond the pictorial elements, natural and human, this film offers little. An attempt was made to have a slightly different story and a couple of odd characters were created but the result was not a complete success. At the New York trade show a number of the exhibitor critics laughed a few times at the wrong places.

Hayden is heir to Dildo Cay, a small island where his family has operated a salt business for generations. Flora Robson, his mother, hires an Englishman, Leo G. Carroll, to run the island, and his daughter, Miss Carroll, comes with him. Hayden's wife, who refuses to live on the Cay, threatens divorce. There is trouble with the natives, the mother dies of a heart attack and the Englishman is taken by the natives. Hayden and Miss Carroll are alone. He resists her advances but finally falls in love.

Running time, 83 minutes. "A."* M. Q., JR.

*"A" denotes adult classification.

"No Hands on the Clock"

(Paramount)

AS mystery films accumulate and available plots which conceal the identity of the murderer to the very last become fewer, the temptation to resort to by-plots in order to keep the audience in the dark appears to become proportionately greater. In the case of "No Hands on the Clock" this tendency has had unfortunate results in that it has produced confusion rather than mystery.

So numerous are the clues introduced to lead the audience away from the culprit, and so unnecessary are many of them to the telling of the story, that even after the murder or murders have been solved and the goings-on explained, many in the audience are likely to remain as mystified as ever.

Chester Morris, a private detective specializing in tracing missing persons, marries the object of one such search and has his honeymoon interrupted by an assignment to find the son of a wealthy Nevada rancher. Clues run in all directions; murders, shootings, chases ensue, to say nothing of honeymoon misunderstandings. The unravelling of the mystery is accomplished mostly by Morris's elocution, rather than action, and is confusing and unsatisfactory largely for that reason.

Jean Parker, James Kirkwood, Rose Hobart, Dick Purcell, Astrid Allwyn, Loren Raker, George Watts and Robert Middlemass are in principal support.

Running time, 76 minutes. "G."* SHERWIN A. KANE

"Sing for Your Supper"

(Columbia)

JINX FALKENBURG, Charles "Buddy" Rogers and Bert Gordon, known as the "Mad Russian," appear here in a rather unevenly placed light musical comedy, which is sufficiently amusing in its lighter moments but which moves sluggishly otherwise. It is at its best when Gordon, who has an expert sense of comedy timing, is on the scene wrestling with the English language. The script is not completely polished.

Rogers is an orchestra leader in a dime-a-dance casino; Miss Falkenburg is the heiress who takes the job of hostess because of Rogers, concealing her true identity. He eventually learns of her social status, but doesn't mind too much. Publicist Don Beddoe spreads the news to the newspapers and Miss Falkenburg, thinking Rogers responsible, departs in a huff. Beddoe finally patches things up in a rather implausible manner.

Running time, 65 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

Assumes Bombay Post

Charles O. Julian has arrived in Bombay to take his new post as manager of the RKO office in India. Far Eastern Manager Leon Britton has moved his headquarters to Singapore.

Mankiewicz Rites Held

Funeral services were held here Friday for Dr. Frank Mankiewicz, 69, father of Joseph L. Mankiewicz, M-G-M producer, and Herman J. Mankiewicz, screen writer.

Chicago Police Head Reverses Local Censor

(Continued from page 1)

the following day ordered the classification change.

Meanwhile, Archbishop John McNicholas of Cincinnati, chairman of the National Legion of Decency, late last week issued a pastoral letter to all Catholic bishops condemning the film. He ordered an active committee of the Legion be formed, if one does not already exist, in every parish to urge support of his condemnation.

Pickets in Cincinnati

Father Edward Kotter, of the local parish in Cincinnati, placed two pickets before the RKO Palace, where the film was showing, and sent trucks through the streets, bearing banners calling attention to the Legion's ban.

In Chicago, Mayor Edward J. Kelly, after seeing the film at the private screening Thursday night, declared the following day that no definite decision had yet been formed. Four members of the Catholic Archdiocese, who attended the screening with the Mayor and Police Commissioner, reported to Archbishop Samuel A. Stritch, and on the basis of their reactions the Archbishop was considering a demand, such as made by Catholic clerics elsewhere, that the film be withdrawn.

Comerford Theatres will not show the picture anywhere in the Scranton Catholic diocese, circuit officials announced Saturday. Most of the circuit's 100 houses are in the diocese, which covers Northeastern and North Central Pennsylvania.

Buffalo Houses to Cut

Some exhibitors in Buffalo will make several cuts in "Two Faced Woman" before showing it, according to report, although the film was shown at the first-run Century intact. The reason given for the decision to make deletions was that many more children attend the subsequent run showings.

In Toledo, O., the Diocesan Council of Catholic Women protested the showing of the film at Loew's Valentine there. The group was said to represent a membership of 50,000.

Newspaper reviewers in Los Angeles, where the picture opened at Grauman's Chinese and Loew's State to average business, criticized the picture unfavorably.

The Denver *Catholic Register* on Friday charged that the film was a "deliberate challenge" to the Legion of Decency.

Cross-Picketing Ban Discussed at Hearing

The New York State Joint Legislative Committee on Industrial Labor Conditions on Friday held a hearing on the question of cross-picketing by unions. All speakers, with the exception of the CIO N. Y. State Council representative, favored some ban on cross-picketing.

Sound films were exhibited to the committee to show how a picket line in front of Gimbel's department store was conducted.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 113 NEW YORK, U. S. A., TUESDAY, DECEMBER 9, 1941 TEN CENTS

CONCILIATION IS UNITY MEET GOAL

One National Association Of Exhibitors Also To Be Discussed

By SAM SHAIN

CHICAGO, Dec. 8.—The creation of a national conciliation board representing all elements of the industry, to meet whenever necessary, and the creation of a single exhibitor body for the whole country will be among the matters to be taken up at the trade unity conference scheduled to begin here tomorrow at the Blackstone Hotel, it was reported tonight.

The local theory is that with many executives compelled to leave tomor-

(Continued on page 6)

Abandon Film Probe

Washington, Dec. 8.—With the United States catapulted into war, the Senate probe of alleged screen and radio propaganda was tacitly abandoned. Isolationist Senators who sponsored the probe said frankly they would consider nothing not directly connected with the national welfare.

400 Honor Silver; Admiral a Speaker

ALBANY, Dec. 8.—The Albany Variety Club paid tribute to its first Chief Barker, Moe Silver, in a patriotic setting at the Hotel Ten Eyck tonight before 400 motion picture people honoring his promotion to the Pittsburgh zone managership for Warner Theatres.

Appropriate to the event, one of the speakers was Admiral Yates Stirling, an old friend of Silver and the man

(Continued on page 2)

Minn. Civil Action Trial After Feb. 1

MINNEAPOLIS, Dec. 8.—Trial of the civil action of the consenting companies seeking a permanent injunction against enforcement of the Minnesota anti-block-of-five law and a ruling on its constitutionality, was deferred today until after Feb. 1 to permit trial in the meantime of the criminal actions for violations of the

(Continued on page 6)

Industry Pledge to F.D.R.

The industry's pledge of service and support to the President and the nation in war was sent President Roosevelt yesterday by Will H. Hays, MPPDA president, and George J. Schaefer as chairman of the industry's national defense committee. Hays' message embodied this resolution adopted yesterday by the MPPDA board:

"The Motion Picture Producers and Distributors of America hereby pledge our service and support to the President and the nation, and reiterate our resolve to maintain the continued flow of wholesome entertainment as an essential contribution to military and civilian morale and to national spirit."

Schaefer's message to the President said:

"The Motion Picture Committee Cooperating for National Defense, representing more than 12,000 theatre operators and the artists, producers, distributors, newsreels and trade press, reaffirms pledge of all possible service to you, the national Government and the people of the United States in this emergency."

Schine Trial Will Start on March 3

BUFFALO, Dec. 8.—Federal Judge John Knight today set March 3, 1942, for start of the Government anti-trust suit against the Schine Circuit, Columbia, United Artists and Universal in U. S. District court here.

Seymour Simon, special assistant attorney general, said the Government will be prepared for trial on and after Jan. 15, but Willard S. McKay, counsel for Schine, said the defense could not be ready by that time and the March 3 date was agreed upon. Judge Knight indicated he will hear the case without a jury.

Columbia, United Artists and Universal were given until Jan. 15 to file

(Continued on page 6)

Schaefer to Realign RKO

George J. Schaefer, president of RKO, shortly will realign several departments of the company, causing these to report directly to him, in line with the full operating authority recently granted him by the company board. Observers believe that such realignment as he will make will be announced shortly.

It is also learned that Joseph I. Breen, whose authority over the studio heretofore has been restricted by the company directorate, will now have full authority over that phase of the company's operations, subject to

(Continued on page 7)

Radio Goes on War Basis

Washington, Dec. 8.—The Defense Communications Board today moved to put the radio industry on a war footing. First move was the order to the FCC to cancel all stations' monitoring schedules maintained for checking frequency stability, so that full use may be made of the stations for defense purposes.

Censorship studies are being made by a number of Government agencies, Chairman James L. Fly disclosed later. The Navy yesterday took over censorship of the international short wave stations, including those in the island possessions, Fly said.

He added that the Navy probably will need some of the properties of the radio communications companies but there is no present indication that broadcasting properties will be taken over by the President under wartime powers granted in the Communications Act. Various industry committees shortly will be asked to aid.

The War Department at 7 o'clock Pacific Time last night shut off and blacked out all but one radio station in the Pacific Northwest. IRO, CBS station in Seattle, broadcast official news.

[*Radio's war coverage detailed on Page 4.*]

WAR NEWS CUTS NATIONAL GROSS

Subsequents Off as Much As 33%, While B'dway Remains Normal

Neighborhood and small town theatres throughout the country experienced a decline of 15 to 33 per cent in box office receipts Sunday, while large city first runs were less affected by the national emergency. Business at most theatres veered back to normal or almost so yesterday, according to reports from "key" cities.

Theatre business is expected to take a heavy dip tonight as the President addresses the nation from 10 to 10:30 P. M. About 60,000,000 persons in the United States heard the President's address to Congress yesterday at 12:30 P. M., it was estimated by C. E. Hooper, Inc. This was the highest yet. Other estimates gave the total as 80,000,000.

Seattle blacked out last night and theatres closed at 10:30 P. M. San Francisco also blacked out. Business was low.

Broadway houses appeared to be little affected by the outbreak of hos-

(Continued on page 4)

See Far East Market Open

War in the Pacific is not expected to close the industry's Far Eastern markets, in the opinion of a majority of foreign department officials.

Although no definite information on shipping facilities is expected for another day or two, most export managers are confident that lanes to the Philippines, Australia, New Zealand, Malay, Hong Kong, Thailand and India will be kept open by the United States and Great Britain. The Far East market, exclusive of Australia and New Zealand, represents about $5,000,000 annual revenue to the industry.

The only countries which foreign managers are agreed will be closed to the industry are Japan, occupied China, French Indo-China and whatever other additional area Japan may succeed in occupying. The loss of

(Continued on page 4)

Loew, Univ. Give Holiday Bonuses

Loew's and Universal yesterday announced holiday bonuses to employes. In both instances they will be for those receiving $40 or less weekly. Universal will give one week's salary. Loew's will give two weeks' salary, not exceeding $50, to those employed a year or more and one week's salary, not exceeding $25, to those employed six months to a year.

Personal Mention

DAVID ROSE, Paramount managing director for Great Britain, arrived from Lisbon by boat yesterday.

•

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, leaves today for Chicago.

•

BERNARD B. KEENEY, son of C. G. KEENEY, manager of the Park, Reading, Pa., has won his "wings" in the Royal Canadian Air Force.

JOSEPH HAZEN, Warner executive, returned yesterday from the Coast.

•

FRANCIS HARLEY and ROBERT T. KANE, 20th Century-Fox British officials, who were to leave Lisbon by clipper Friday for New York will come by boat instead as a result of a Government order halting clipper flights by civilians. They are due here about Dec. 22.

Morgenthau Backs Soldier Exemption

WASHINGTON, Dec. 8.—Plans of members of Congress to revise the admission tax provisions of the revenue law to exempt soldier admissions to Army motion picture theatres have received the support of Secretary of the Treasury Morgenthau.

In a letter to Representative John W. McCormack, who inquired about the Treasury's position, Secretary Morgenthau said he would have no objection to lifting the tax so long as the net proceeds from such admissions are used exclusively for the welfare of the military or naval forces.

Suspend Garbo Film, Discussing Revisions

M-G-M representatives are discussing with Legion of Decency officials possible revisions in "Two-Faced Woman," Greta Garbo picture, it was stated yesterday at the home office. Meanwhile, the company is not taking any bookings beyond Dec. 16. The suspension, it was indicated, will be temporary.

Hold Rites Today For Sam T. Lyons

HOLLYWOOD, Dec. 8.—Funeral services will be held here tomorrow for Sam Theodore Lyons, 41, talent agent, who succumbled to a heart attack yesterday. He had been in the agency business for 25 years here and in New York. He is survived by his widow, the former Joy Lynne, actress, and his brother, Arthur, with whom he was in business.

Academy Awards Dinner on Feb. 26

Hollywood, Dec. 8.—The board of governors of the Academy of Motion Picture Arts and Sciences has set the 14th annual awards dinner for Feb. 26. Achievements eligible must have been in connection with pictures released during 1941, or first publicly exhibited in the Los Angeles area before Jan. 12, 1942.

U. A. Owners Meet At Pickfair Friday

HOLLYWOOD, Dec. 8.—United Artists' annual meeting of owner-members and Eastern executives will take place Friday at Pickfair, Edward C. Raftery, president, announced here today.

400 Honor Silver; Admiral a Speaker

(*Continued from page 1*)

who built the Pearl Harbor fortifications.

As Tent No. 9 gave a sendoff to Silver, Chairman Si Fabian presented the guest of honor with a desk set, scroll and motion pictures of the affair. Dinner receipts go to charity.

With James J. Walker as master of ceremonies, industry executives and state officials spoke.

The speakers included: Walter T. Brown, secretary to and representing Gov. Lehman; Attorney General John J. Bennett, Mayor Herman Hoogkamp of Albany; Harry Kalmine, John Harris, James Balmer, Herman Robbins, Joseph Vogel, E. K. O'Shea, Si Fabian, chairman of the affair; C. J. Latta, Silver's successor as zone manager in Albany; Jack Cohn, Ned E. Depinet, Myer and Louis Schine and Louis Golding.

N. Y. Executives Attend

The advance reservation list for the dinner included: John J. O'Connor, Harry Seed, Joseph Vogel, Abe Rachlin, John Turtletaub, Albert Manheimer, E. C. Grainger, Ben Sherman, Charles O'Reilly, Clarence Hill, Al Reid, Edward Goldstein, Ben Amsterdam, Jay Bennison, Jack Shea, Joseph Feldman, Mort Blumenstock, Frank Damis, Harold Rodner, Harry Kalmine, Clayton Bond, Frank Phelps, Sam Morris, Leonard Schlesinger, Harry Goldberg, Jules Girden, Harry Kaplowitz, Roy Haines, Arthur Saxon, Ben Worth, Max Brockman, E. A. Ullberg, Louis Kaufman, W. Stewart McDonald, Hary Mayer, Joseph Unger, Morris Wolf, Peter Dana, and others.

At a luncheon today at the Ten Eyck, officers of the local Variety Club were installed by John Harris and James Balmer of the national Variety Clubs. Silver was installed as chief barker, to which he was elected before his transfer to Pittsburgh.

Immediately after the induction of officers, Silver turned over the chief barker's office to Louis Golding.

Rites for Wood's Mother

COLUMBUS, Dec. 8.—Funeral services were conducted Saturday for Mrs. Elizabeth Lillian Wood, 79, mother of P. J. Wood, secretary of the ITO of Ohio, who died at her home late last week.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
CARY GRANT . JOAN FONTAINE
"SUSPICION"
An RKO-RADIO Picture
ON THE GREAT STAGE: "NICE GOING" —Leonidoff's gay spectacular revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved CIrcle 6-4600

CLAUDETTE COLBERT
RAY MILLAND
BRIAN AHERNE
In Paramount's
"SKYLARK"
IN PERSON
HARRY JAMES AND BAND
Extra: RAY BOLGER
PARAMOUNT Times Square

Jack OAKIE . George MURPHY . Milton BERLE
Linda DARNELL . Walter BRENNAN
'RISE and SHINE'
PLUS A BIG STAGE SHOW **ROXY** 7th Ave. & 50th St.

PALACE B'WAY & 47th St.
Starts Tomorrow
"WEEKEND IN HAVANA"
Carmen Miranda—Alice Faye
and 'CADET GIRL'

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists **RIVOLI** Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

★ ★



5 SERVICES DAILY
VIA
THE SOUTHERN SUNSHINE ROUTE
TO
LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York	4:30 pm and 4:45 pm
	Ar. Dallas-Ft. Worth	1:28 am and 2:18 am
	Ar. Los Angeles	7:47 am and 8:47 am
THE PLAINSMAN	Lv. New York	5:25 pm
	Ar. Dallas-Ft. Worth	2:55 am
	Ar. Los Angeles	9:47 am
THE SOUTHERNER	Lv. New York	10:55 pm
	Ar. Dallas-Ft. Worth	8:52 am
	Ar. Los Angeles	4:02 pm
THE SUN COUNTRY SPECIAL	Lv. New York	6:30 am
	Ar. Dallas-Ft. Worth	4:58 pm
	Ar. Los Angeles	1:26 am

For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center; Airlines Terminal, 42nd Street at Park Avenue; Lobby, Hotel New Yorker.

AMERICAN AIRLINES *Inc.*
ROUTE OF THE FLAGSHIPS

M-G-M NEWS IS GOOD NEWS!



"Vanishing Virginian" Surprise Triumph

More later! Take our tip now! Keep your eye on this "sleeper"! Rich with humanity, packed with power, it will enthrall every man, woman and child in the nation. Epic performances by Frank Morgan, Kathryn Grayson and a superb cast. Directed by Frank Borzage.

"H. M. Pulham, Esq." at Radio City Music Hall

While the sensational Boston World Premiere continues to pack them in, the announcement of "H. M. Pulham, Esq." at Radio City Music Hall opening December 18th, gives thrilling evidence of the importance of this widely acclaimed production. Hedy Lamarr, Robert Young, Ruth Hussey, Charles Coburn head a perfect cast. King Vidor, director.

"Shadow Of Thin Man" Business 172% Nationwide

Hold-overs are a habit! Mr. and Mrs. Paying Public agree that Mr. and Mrs. Thin Man are a happy national institution and that Bill Powell and Myrna Loy are just what the box-office craves. Major W. S. Van Dyke, II, directed.

"Johnnie Eager" Will Make Film History

It's in the air! When you see it, when you watch Robert Taylor and Lana Turner, your pounding pulse will tell you it's the most exciting drama that Mervyn LeRoy has directed since "Fugitive From A Chain Gang." Edward Arnold's in the powerful cast.

Raves For "Babes On Broadway," New Year's Hit

Now you *KNOW!* Now the trade has *SEEN* it! Wherever you go, whatever trade paper you read, the news is Mickey Rooney, Judy Garland in "Babes On Broadway" for a Happy New Year! 400 prints are ready to welcome 1942 with bulging bank-accounts! Director, Busby Berkeley.

Webs All-Out In Coverage Of War News

Radio networks and independent stations ripped program schedules to shreds Sunday, as word of the Japanese attack on Honolulu was received shortly before 2:30 P. M. All networks went on the air with the news flash, and continued on 24-hour operation thereafter, a schedule which will continue indefinitely.

Geared for Coverage

All networks immediately offered their full facilities to the war effort, and geared themselves for intensive coverage. Commercial programs were frequently interrupted for bulletins and sustaining periods were given over almost entirely to news.

Late yesterday NBC announced that the first minute of all quarter-hour shows; the first two on half-hour shows, and the first and middle two minutes on hour programs would be used exclusively for news. Regular news shows will continue, and other programs will be subject to interruption if the news is important enough. Operation of the Red and Blue will be combined from 12:30-8 A.M. The network had an eye-witness report of the bombing of Manila by Bert Silen and Don Bell at 2:25 P. M. yesterday.

Amateurs Silenced

All amateur radio stations were silenced by an FCC order Sunday, except those authorized to act in connection with the war. BMI announced that its patriotic music would be available to all music users without charge for the duration.

At the suggestion of Robert A. Catherwood, newly appointed WWRL general manager, all New York City foreign language stations will meet at WHOM this afternoon to set up a permanent organization and determine broadcasting policy.

International short wave stations went on the air with broadcasts to foreign countries as soon as news of the bombing was received Sunday and continued throughout yesterday. The CBS station increased its broadcast time to 24 hours daily with news an almost exclusive feature.

Mutual is presenting news from Washington every hour on the hour and from the West coast on the half-hour.

Browne's $20,000 Fine Paid in Cash

The $20,000 fine imposed on George E. Browne was paid in cash yesterday by E. S. King, his Chicago attorney. William Bioff has not yet paid his $20,000 fine.

Consolidation of the 10 stockholder suits brought against Warners as a result of alleged extortion payments to Bioff and Browne has been ordered by N. Y. Supreme Court Justice Ferdinand A. Pecora. The court named former General Sessions Judge Alfred J. Talley as chief counsel for the plaintiff.

War News Slashes National Gross; B'way Remains Firm

(*Continued from page* 1)

tilities, most managers reporting normal Sunday business and average Monday attendance. Neighborhood houses in the metropolitan area were hard hit, however, as thousands remained at radios following news developments. Few theatres used news flashes, the managers reasoning that theatregoers were seeking entertainment.

In Los Angeles, programs were interrupted to notify police and firemen off duty to report to their station houses on Sunday and by night it was estimated business was off 15 per cent. Attendance remained subnormal yesterday with many fearing an air attack or sabotage at aircraft plants.

Oakland had a partial blackout when rumors spread that an attacking force was in the vicinity of San Francisco harbor. Grosses for the two days were off about 15 per cent in San Francisco and Oakland.

Washington Slack

Washington theatres experienced a marked setback Sunday as crowds paraded by the White House and the Japanese Embassy, and many thousands sat glued to their radios. Business continued slack until yesterday afternoon.

Chicago Loop houses reported business off seven per cent Sunday, with the exception of the Oriental, which reported one of its biggest Sundays in history.

In Cincinnati, Dayton and Columbus only a slight decrease was reported Sunday and some recovery was experienced yesterday.

St. Louis first-run receipts dropped 15 to 20 per cent Sunday. Bulletins of the attack were announced to matinee audiences.

Tri-States circuit headquarters at Des Moines reported grosses off about 33 per cent Sunday. Most suburban houses, however, reported business at average levels. First runs broadcast occasional news bulletins.

Indianapolis business was not noticeably affected, managers said. A few houses reported attendance slightly off. Two or three had excellent business.

Dallas reported no noticeable change either day. All Interstate Circuit houses interrupted programs for news bulletins.

At Minneapolis, Sunday business was reported moderately off and many managers attributed it as much to a snow and sleet storm as to the war. Early Monday business, however, showed a noticeable drop, although the weather had cleared.

Only one theatre in Providence reported business off. At Toronto, attendance showed a strong recovery yesterday after a poor Sunday. Managers believed reaction to war news and rain encouraged patrons to return to the theatres yesterday.

Small Effect on Broadway

Broadway grosses maintained a good level despite war excitement which kept thousands at their radios.

"Rise and Shine," presented with a stage show, had a strong opening at the Roxy, bringing an estimated $29,500 for the first three days beginning Friday. It will hold over. Although in its third week the Radio City Music Hall show, "Suspicion," with a stage presentation, grossed an estimated $50,000 Thursday through Sunday. The film will be replaced Thursday by "The Men in Her Life."

"Skylark" with Harry James' orchestra and Ray Bolger on the stage finishes its third and final week tonight at the Paramount with an estimated $36,000. Saturday and Sunday the show brought an estimated $22,000. "Birth of the Blues" and Orrin Tucker's orchestra go in tomorrow.

At the Strand, "They Died With Their Boots On" and Woody Herman's orchestra drew an estimated $20,200 Thursday through Sunday. The show ends a three-week run tomorrow night to be replaced Thursday by "Blues in the Night." "How Green Was My Valley," now in its sixth week at the Rivoli, did an estimated $11,300 Friday through Sunday and continues. "Swamp Water" in its fourth week at the Globe grossed an estimated $3,000 Saturday and Sunday.

War 'Specials' Sent Out by All Newsreels

All five newsreels yesterday sent by air express to all accounts "specials" on the declaration of war. The reels, approximately the usual length, are substitutes for the usual midweek issues.

March of Time is preparing a new release, "Your America at War," to be ready for prerelease bookings Thursday through RKO.

Studios Take on War Aspect; Expect Change in Schedules

Hollywood, Dec. 8.—Hollywood today took on a war aspect. All radio stations and virtually every studio were under augmented guard, with extra fire precautions taken.

Rearrangement of shooting schedules is expected, particularly in case of distant locations, due to expected restrictions on large traveling units. All private airplanes have been ordered grounded, which is causing rewriting of scripts. The studios yesterday supplied the Army with 35 trucks, with 100 more available. The Army picked up all machine guns at studios. Citizens have been asked to stay home as much as possible. Republic has barred all visitors. Paramount demands identification from everyone.

Fourteen AFL studio locals totaling 16,000 workers today pledged an implied "no strike" policy.

See Far East Market Open Despite War

(*Continued from page* 1)

Japan is not considered commercially important by the industry. Because of its import permit system and currency restrictions, it has produced [illegible] revenue for the past three years.

Despite the hostilities, the eight major distributors collected their third payment, aggregating approximately $210,000, from the Yokahama Specie Bank at San Francisco over the weekend. The payment was under a pact with Japan which set aside $860,000 of the companies' Japanese revenue for that year for payment in four installments beginning last September. The fourth and final payment is due in February.

Few in Tokyo

The outbreak of the war found few American film company officials still in Tokyo. Lewis Pepperman, United Artists manager there, was in communication with the home office from Tokyo last Friday. Harold Dunn and M. Shathin of Warners were last heard from there. Evacuation of Japan by American film employes has been under way for several months and skeleton staffs remain, for the most part.

The Far East film colony is now concentrated mostly in Manila. I. Cohen of M-G-M, Charles Core, United Artists; Larry DePrida, Universal; George Kallman, Cliff Almy, Warners; James E. Perkins, Paramount, and Dan Lederman, 20th Century-Fox, were among those in Manila when last heard from. Several others were last heard from at Shanghai, among them J. D. Berman of M-G-M; Floyd Crowder, RKO; A. L. Kaplan, Warners, and Robert Perkins, Universal. Al Daff of Universal and Sidney Albright of 20th Century-Fox are at Batavia, Java, and James McIlhenny of 20th Century-Fox and Robert Lury, Universal, are at Singapore. Arthur G. Doyle, 20th's Far Eastern supervisor, is believed to be en route to the United States. A. Swemmelaar of Warners is at Hong Kong.

Recalled to U. S.

Morey Marcus of United Artists and Charles Mayer of 20th Century-Fox sailed for the Far East on the *President Polk* from San Francisco on Saturday. The ship was called back to port Sunday and arrived yesterday.

Japanese were removed from the accredited list of motion picture correspondents yesterday by major company foreign departments.

Recess Hearing on Press-Radio Tieups

WASHINGTON, Dec. 8.—The FCC, which wound up its presentation of the newspaper-radio situation Friday, has recessed hearings to give newspaper interests an opportunity to prepare their evidence on the effects of newspaper ownership of broadcasting stations.

No date was set for further hearings, but it was indicated no sessions probably would be held until after the turn of the year.

LISTEN TO THAT BOX OFFICE HOWL!

He's ready to outscream "Frankenstein" and "Dracula" in that Pre-Christmas date!

Here it is all set for you to sell hard . . . that horror magic that brings you hot profits out of cold shivers!



The WOLF MAN

with

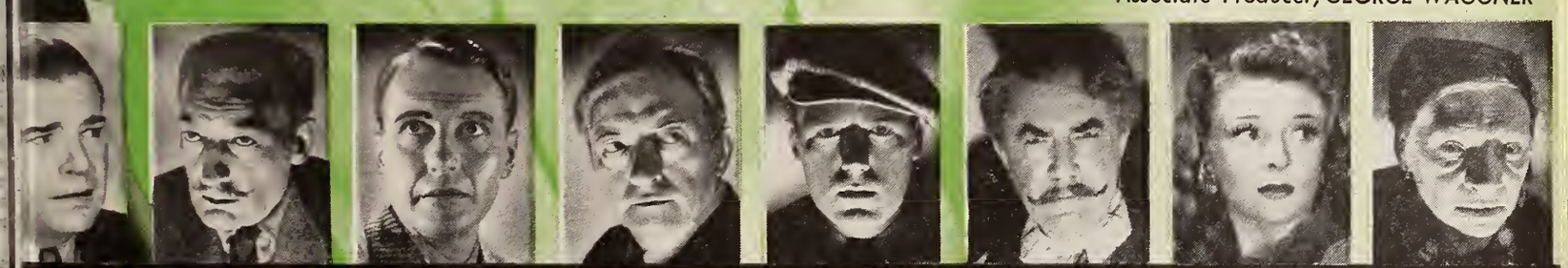
CLAUDE RAINS
WARREN WILLIAM
RALPH BELLAMY
PATRIC KNOWLES
BELA LUGOSI
MARIA OUSPENSKAYA
EVELYN ANKERS

and the new master character creator

LON CHANEY

as "The Wolf Man"

Directed by GEORGE WAGGNER
Associate Producer, GEORGE WAGGNER



CHANEY | WARREN WILLIAM | RALPH BELLAMY | CLAUDE RAINS | PATRIC KNOWLES | BELA LUGOSI | EVELYN ANKERS | MARIA OUSPENSKAYA

OUR UNIVERSAL DATE! READY NOW!

Leaders of Exhibition Assemble in Chicago



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Allied Chairman



H. A. COLE
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S. SAMUELSON
New Jersey Allied



F. WEHRENBERG
St. Louis MPTOA



LEWEN PIZOR
MPTOA Exec. Comm.



O. C. LAM
MPTOA Exec. Comm.

Conciliation Is Aim of Meeting On Trade Unity

(*Continued from page* 1)

row, the conference will not take any definite steps but that a committee will be appointed to tackle the proposals and report at a future meeting, after sessions tomorrow or Wednesday.

Such a conciliation board will consist of representatives of the various elements of the industry with equal representation to such elements, and such an exhibitor body will have a person of national prominence and prestige as its leader, and a person of similar standing as its general counsel.

The all-industry unity effort is viewed by Barney Balaban, Paramount president, as taking on new significance and importance with the United States in the war.

"In a sense, we can contribute to national unity by achieving unity within the industry," he said before leaving for the Chicago meeting yesterday.

Peace between factional exhibitor groups of the country is one of the principal objectives of the unity meeting. That such a peace is desired rather than the continuous warfare and prejudices of these groups is readily admitted by leaders already assembled here.

Five separate exhibitor groups met here today to formulate their plans for the meeting. They were: Allied States, the Pacific Coast Conference of Independent Theatre Owners, MPTOA, Northwest Allied and groups representing regional exhibitor groups not affiliated with either national exhibitor organization.

At the national Allied meeting were Abram F. Myers, H. A. Cole, Jack Kirsch, Sidney Samuelson, Roy Harrold, Martin G. Smith and Ben Berger. Cole, Allied president, said that Kirsch, head of Illinois Allied, would preside at the opening of the all-industry meeting tomorrow.

Cole said that Allied has no intention of dominating the meeting and that each exhibitor and distributor representative who wishes to do so will have the opportunity to be heard. He said Allied has a "definite idea on unity but the plan is new to other exhibitor organizations."

At the MPTOA conference were Ed Kuykendall, president, and members of the organization's executive committee. Their first action was the adoption of a resolution endorsing President Roosevelt in the international situation and pledging the support of the theatres of MPTOA units.

Kuykendall declined to comment on MPTOA's position at the unity meeting. Attending the session in addition to Kuykendall were H. V. Harvey, Max A. Cohen, O. C. Lam, and Fred Wehrenberg. Lewen Pizor and Arthur Lockwood are expected to arrive tomorrow and Morris Loewenstein will not attend, having been designated to represent Kuykendall at the convention of the Oklahoma Theatre Owners at Oklahoma City tomorrow.

Coast Unit Has Plan

The conference of PCCITO delegates was attended by Robert H. Poole, executive secretary; L. O. Lukan, Jack Y. Berman, and H. V. Harvey. It was reported that the Pacific Coast group would recommend the adoption of the organization's 11-point program by the all-industry meeting.

At the meeting of representatives of regional organizations were Harry Brandt, Leo F. Wolcott, William F. Crockett, Harry C. Arthur, Jr., John Rugar, Poole, Berman, W. B. Bryant, Myron Blank, Robert White, Harvey and Robert Barton.

E. L. Peaslee and Fred Strom of Northwest Allied considered procedure for presenting their views on the serious product situation in Minnesota and complaints against product terms to distribution executives who are expected here tomorrow.

War Overshadows Meet Preparation

Chicago, Dec. 8.—The war partly overshadowed the all-industry unity meeting as industry representatives gathering here yesterday and today from all parts of the country gave as much attention to radio bulletins and newspapers as they did to plans for the meeting.

Schine Case Trial Scheduled to Start In Buffalo March 3

(*Continued from page* 1)

answers to the Government's interrogatories. Louis D. Frohlich of Schwartz & Frohlich, New York, appeared for Columbia, and Benjamin Pepper of O'Brien, Driscoll & Raftery, New York, for United Artists and Universal.

Setting of the March trial date for the Schine anti-trust suit will make it impossible for the Government to begin trial of its New York action against the "Little Three" in April, as the Government announced recently it planned to do. The Schine trial is expected to last at least a month and preparations for trial of the New York suit would require a minimum of another month, attorneys say.

Minn. Civil Action Trial After Feb. 1

(*Continued from page* 1)

law against Paramount, RKO and 20th Century-Fox.

The criminal actions are scheduled for trial beginning Dec. 15 and involve what the consenting companies believe will be a quicker and more definitive test of the constitutionality of the law than would be provided by the civil action.

The civil action had been scheduled for trial tomorrow but local counsel for the distributors reached an agreement with state officials.

U.S. Decree 'Mess', MPTO Bulletin Says

"The consent decree is a mess," the MPTOA asserts in an organization bulletin which reviews the workings of the decree thus far.

Issued yesterday, on the eve of the all-industry unity meeting in Chicago today, the bulletin makes the significant statement that while the industry already has been "dragged so far into government regulation that it will have great difficulty in extricating itself," and that "even if the cooperation and backing heretofore withheld can be secured now, it is a question whether self-regulation and self-discipline can be undertaken by the organized industry at this time."

"Whether the consent decree can be rewritten during its three-year period," the bulletin continues, "how long it would take to get it modified (even if everybody agreed upon the desired changes) and whether legislation (such as the Minnesota law) is the only way it can be changed, are questions that require careful examination. In the meantime, the number of exhibitors who would like to see the consent decree busted up, for a variety of reasons of their own, is steadily growing."

A selective contract offering a reasonable cancellation right, unhamhapered by conditions, is advocated in place of the block-of-five method.

The bulletin criticizes the operation of the arbitration system.

Company Chiefs at Unity Meeting



N. M. SCHENCK
Loew's President



BARNEY BALABAN
Para. President



GEO SCHAEFER
RKO President



T. J. CONNORS
20th-Fox Executive



W. F. RODGERS
Loew's Sales Head



NEIL AGNEW
Para. Sales Head



J. BERNHARD
W.B. Vice-President



J. R. GRAINGER
Repub. President

All Theatres Are Affected By Arbitration

Arbitration awards can be enforced against theatres which refuse to intervene in a proceeding by means of the arbitrator's power to regulate clearance and other provisions of contracts of the consenting companies, the national appeals board said yesterday in a decision revising the arbitrator's award in the clearance case of the Squire Theatre, Great Neck, L. I.

In its decision, the board increased the clearance of the Skouras Playhouse, Great Neck, to 14 days over the Squire, from the seven days clearance which had been set as a maximum by George H. Spiegelberg, arbitrator, in making the original award. In addition, the board gave the Little Neck Theatre one day's clearance over the Squire, whereas Spiegelberg had abolished all clearance between the two.

Spiegelberg made no award as to the Beacon, Port Washington, and the Manhasset Theatre, which were named as interested parties on the ground that, having failed to intervene in the case, he lacked jurisdiction over them. It was on this point that the appeals board ruled that they may be affected because of an arbitrator's power to set the maximum clearance which a consenting distributor may accord to theatres involved.

The board gave the Beacon a maximum clearance of seven days over the Squire and the Manhasset four days. Spiegelberg's award also was modified to limit it to future contracts entered into by the five consenting companies with the theatres involved and not to existing contracts. The appeal was taken by the intervenors, Skouras Playhouse and Northern Amusement Corp., operator of the Little Neck. The Playhouse, prior to the complaint, had 30 days clearance over the Squire, except from Paramount, which gave it 14 days, and the Little Neck had seven days clearance.

Clearance Altered in Philadelphia Decision

PHILADELPHIA, Dec. 8.—Calvin H. Rankin, arbitrator, in an award entered here on Saturday permitted the 28 days clearance of Warners' Logan over A. M. Ellis' Broad Theatre, Philadelphia, to remain, but reduced the 21 days clearance of Hunt's Rockland to 14 days and the 14 days clearance of Warners' Bromley to seven days.

The seven days clearance of Warners' Grange over the Broad also was permitted to stand, although no change had been sought in that situation.

Meanwhile, the clearance complaint of Columbus Stamper, operator of the Rivoli here, was withdrawn.

Ampa Relief Fund Total Now $2,304

The Ampa welfare committee reported yesterday that $2,304 was collected for its relief fund during the first six months of its existence. Because of the need of those being aided, the committee recommended that preference be given present and past members of Ampa.

Schaefer Will Realign RKO Departments

(*Continued from page 1*)

Schaefer's approval. Breen, it is also indicated, will make some changes. The realignment both here and on the Coast is for the purpose of coordinating activities under the direct supervision and authority of Schaefer.

It is also indicated that N. Peter Rathvon will shortly assume the position of vice-president of RKO, in an operating capacity, subject to the supervision of the president.

In the meantime, reports are that among the persons soon to depart from the lot is J. R. McDonough.

Schaefer, it is said, intends to build a more closely-knit and cooperative organization, which will function smoothly and with the greatest coordination under his full authority.

Para. Closes With Loew Metropolitan

Paramount yesterday closed with Loew's metropolitan circuit for the distributor's first two blocks of new season's product. The deal has been in negotiation for months and has held up the playing of Paramount's new product in neighborhood houses of the entire metropolitan area. The negotiations were concluded by C. C. Moskowitz of Loew's and Neil F. Agnew of Paramount.

ANOTHER REPUBLIC FAN MAGAZINE AD

THE CASE HISTORY OF A BIG PICTURE

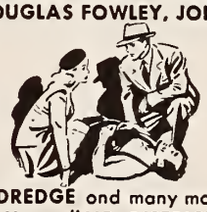
THOUSANDS of radio fans CLAMORED to see the adventures OF their favorite air-waves sleuth —MR. DISTRICT ATTORNEY— ON the screen! ...AND in RESPONSE TO their



DEMANDS, Republic gave you THE first in a great new film series —"MR. DISTRICT ATTORNEY"... ALL America thrilled to this stirring TALE of the forces of law and ORDER arrayed against the UNDERWORLD... AND they asked for MORE! ... So HERE'S a BRAND-new UP-to-the-minute



ADVENTURE —"MR. DISTRICT ATTORNEY IN THE CARTER CASE".. and it's even more EXCITING than the first in the series! YOU'LL cheer handsome JAMES ELLISON (remember him in "ICE-CAPADES"?)...and his sweetheart AND aide is lovely VIRGINIA GILMORE. The rest of the cast INCLUDES FRANKLIN PANG-BORN for laughs, beautiful LYNNE CARVER for extra romantic EXCITEMENT, PAUL HARVEY, DOUGLAS FOWLEY, JOHN



ELDREDGE and many more ... if YOU saw "MR. DISTRICT ATTORNEY" or if you've heard HIS adventures on the air, you WON'T want to miss "MR. DISTRICT ATTORNEY IN THE CARTER CASE"... And if you HAVEN'T—then it will give you A brand-new thrill! It's

A REPUBLIC PICTURE

ADVERTISE

Make that your slogan and you'll profit handsomely . . .

Advertise . . . because the very word "Showmanship" means showing off and the best way to show off is with advertising.

Advertise . . . because advertising is news and people are hungry for news and information about entertainment.

Advertise . . . because advertising and business success go hand in hand.

Advertise . . . because motion pictures is a business of ideas, showmanship, glamour . . . and advertising is made up entirely of ideas, showmanship and glamour and that's what makes people stop, look, listen and buy.

Advertise . . . start with the Trailer and spread out in all directions with information about your show . . .





Advertise with Standard Accessories. Special Accessories and Trailers because

NATIONAL SCREEN SERVICE

Sells More Seats!

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 114 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 10, 1941 TEN CENTS

War Jitters Slash Gross Over Country

Areas With Blackouts or 'Alerts' Hardest Hit

Three days of war jitters, constant radio news bulletins, several air raid alarms and the climax of the nationwide address by President Roosevelt at 10 o'clock EST last night, caused grosses to slump badly from coast to coast.

Many theatres moved to keep their audiences by making arrangements for reception of the speech somewhere in the house, or, in some instances, giving bulletins of the speech.

A 10 P.M. house check at Broadway theatres revealed business fell as much as 50 per cent of normal, according to the managers. Neighborhoods reported not being affected as much.

Chicago's Loop grosses were off an estimated 35 per cent yesterday, most

(*Continued on page 8*)

For war's effect on radio operations, see Page 7.

Hollywood Gears For War Safety

HOLLYWOOD, Dec. 9.—Studio managers will meet Thursday to plan for war-time protection of the studio properties, it was announced today in the midst of numerous happenings on the West Coast incident to the war.

Fred W. Beetson, Producers' Association executive vice-president, called the studio managers to the conference, at which reorganization of fire and police departments and other matters of general community protection will be taken up.

The 20th Century-Fox studio today formed an emergency committee and began training employes in air raid

(*Continued on page 8*)

Accept Shipment to Far East Markets

Film shipments are being accepted to all major Far Eastern markets outside of Japan and Japanese dominated territory, the Massce-Barnett Co., film forwarders, was advised officially yesterday by Pacific operators.

Shanghai, Hong Kong and Thailand are the only new areas closed to ship-

(*Continued on page 8*)

Entertainment Only Is Theatres' Policy

Broadway theatres and major circuits are planning to continue a policy of "entertainment only" in the emergency, with respect to interruption of programs to present war news bulletins. A similar decision was reached yesterday by Warner circuit officials meeting in Philadelphia. It was generally felt that theatres could do much to bolster morale by providing uninterrupted entertainment.

Metro Will Resume Minnesota Selling Rodgers Reveals

CHICAGO, Dec. 9.—M-G-M will resume selling in Minnesota at the earliest opportunity as a concrete example of its willingness to contribute to industry unity and cooperation, William F. Rodgers, vice-president and general sales manager of Loew's, announced at the all-industry unity meeting here today.

He said that the decision to resume selling had been made only today and at the request of a group of exhibitors representing Northwest Allied at the all-industry meeting.

Details of the procedure by which the company will re-enter Minnesota have not been worked out, it was learned, but are expected to follow that taken by all other consenting companies in applying for an exemption from the sales provisions of the consent decree in order that it can comply with the provisions of the Minnesota anti-block-of-five law.

UNITY GROUP MAPS INDUSTRY PROGRAM

Meeting Gets Under Way with Nearly 100 Trade Leaders Present; Committee on Ways and Means Reports Today

By SAM SHAIN

CHICAGO, Dec. 10 (Wednesday).—A permanent Motion Picture Industry Committee of 26 members to effectuate the program to be adopted by the all-industry conference will, according to report, be recommended by the ways and means committee at the 10 A. M. session today.

The ways and means committee, which elected T. J. Connors chairman, completed its work after an all-night session. Its recommendation, adopted unanimously, it is reported, will be that the permanent committee shall consist of five representatives of Allied, five of the MPTOA, five unaffiliated exhibitors, and one representative each of all 11 distributors.

CHICAGO, Dec. 9.—With an address by Abram F. Myers, Allied States chairman and general counsel, which enumerated aims of the all-industry unity meeting here today, and a message of encouragement and warning to the industry representatives from Sidney R. Kent, 20th Century-Fox president, the opening session swung into action by designating a

(*Continued on page 3*)

'Last Chance' To Unite, Kent Tells Meeting

CHICAGO, Dec. 9.—In the most direct statement uttered at the all-industry unity conference, Sidney R. Kent, president of 20th Century-Fox, not only urged a blending of the interests of all branches of the business but warned gravely that this might be the last chance for the industry to stop its internal bickerings and unite, unless it expected to face even graver ob-



Sidney R. Kent

(*Continued on page 3*)

Garbo Picture Is Revised by Metro

HOLLYWOOD, Dec. 9.—M-G-M last night completed and dispatched East a revised version of "Two-Faced Woman." Due to plane restrictions the film was shipped by train.

The revision of the picture comes in sequel to objections against the original version registered by the Legion of Decency and represents an effort on the part of M-G-M to have the Legion's outright condemnation of the film lifted and placed instead in an unobjectionable for adults classification.

Recall of Greta Garbo and Melvyn

(*Continued on page 8*)

Sees Dimes Setup In Future Drives

The nation-wide organization of theatre men being built up by Nicholas M. Schenck, as national chairman for the industry's infantile paralysis drive, will provide an active mechanism by which the country's film houses can cooperate in many

(*Continued on page 3*)

Unity Meeting Delegates Pledge Loyal Support to Nation in War

Chicago, Dec. 9.—A pledge "to our country and our commander-in-chief" in the war effort was adopted today by the delegates to the all-industry unity meeting. In offering the resolution, Robert H. Poole, executive secretary of the PCCITO said, "What better purpose, what better keynote can we present to the trade and country at this time than our loyal pledge and our patriotic devotion." The text of the resolution follows:

"Resolved, that the representatives of the motion picture industry here assembled in Chicago this 9th day of December, 1941, do hereby pledge wholehearted, patriotic and loyal effort of themselves and the industry which they represent to our country and to our Commander-in-Chief, the President of the United States.

"Be it further resolved that copies of this resolution be transmitted to the President of the United States, the Secretary of the Navy and the Secretary of War."

FPC Sends Gifts to Army Men Abroad

Toronto, Dec. 9.—Famous Players Canadian Corp. is sending a New Year's greeting to each of the 48 circuit men on duty with the Canadian forces overseas, in the form of a box containing articles difficult to obtain, such as razor blades, candy and the like. Each includes a letter of greeting from J. J. Fitzgibbons, Famous Players president.

Navy Film Service in Year Cost $447,000

WASHINGTON, Dec. 9.—Motion picture service for the United States Fleet and the Naval shore establishments during the fiscal year ended June 30, last, cost $447,000, of which $197,000 was contributed by the Government and the balance met from profits of ship's stores, ships' services and post exchanges, it was disclosed in the annual report of Rear Admiral C. W. Nimitz, chief of the Bureau of Navigation.

During the year, the report showed, $219,415 was expended on new projection equipment for ships and stations. The Navy Motion Picture Exchange cost approximately $10,000 for maintenance. The motion picture service is a "major element" in the Navy's morale program, Admiral Nimitz declared. No charge is made for admissions to the shows, which are held at all naval stations and marine posts and on all ships of sufficient size to provide the space necessary for projection, including those of the Coast Guard.

Menken Addresses B'nai B'rith Session

The first Fall meeting of the Cinema Lodge of B'nai B'rith was held last night at the Hotel Edison with several hundred guests and members attending. The program included a talk by Arthur Menken, Paramount News cameraman, and a screening of "The Battle of the Pacific," a film resume of his travels in the Far East.

Menken broadcast from the meeting on the "We, the People" program, 9 to 9:30. Rabbi Nathan Perilman and Judge Jacob Ascher also addressed the session. Arthur Israel, Jr., presided.

Milliken to Appear On Iceland Treaty

WASHINGTON, Dec. 9.—Carl E. Milliken of the MPPDA has been listed for time to present evidence on films at hearings set today for Dec. 15 on a proposed trade agreement with Iceland. The hearings will be held by the Committee for Reciprocity Information.

Associates Elect Today

Election of Motion Picture Associates' officers for the new year will be held today at the Hotel Lincoln. Harry Buxbaum has been unanimously nominated for president.

Open Oklahoma Branch

DALLAS, Dec. 9.—Sack Amusement Enterprises on Jan. 2 will open its new Oklahoma City exchange, under the management of W. Burl Lovelace.

Personal Mention

DAVID O. SELZNICK and MYRON SELZNICK left last night for Hollywood.

•

WILL H. HAYS left Hollywood last night for Chicago and New York.

•

HARRY SPIEGEL of the Family Theatre, Scranton, Pa., has been elected commander of the Sandy Weisberger Post 165, Jewish War Veterans.

•

FRED DERADO, manager of the Capitol Theatre in Binghamton, N. Y., became the father of a girl, JUDY ANN, born to MRS. DERADO recently.

•

CHARLES COLLINS, manager of the Columbia Theatre, Bloomsburg, Pa., became the father of a girl recently.

•

VICTORIA CUSANELLI, former Warner booker in New Haven, was given a dinner following her marriage to WILLIAM F. LEACH and resignation from her post.

•

MAURICE SHERMAN, Monogram salesman in Philadelphia, was taken ill in upstate Pennsylvania and is confined to a hospital.

NICHOLAS M. SCHENCK, GEORGE J. SCHAEFER and J. ROBERT RUBIN will arrive from Chicago by train this morning.

•

ABE BLANK and RALPH BRANTON, of Tri-State Theatre Corp., Des Moines, were visitors at the Paramount home office yesterday.

•

NATE SANDLER, owner of the Northwood Theatres, Northwood, Ia., and MRS. SANDLER, have returned from a motor trip to Florida.

•

MAX FELT, manager of the Allen, Philadelphia, is recovering from a serious nose infection.

•

E. O. WILSCHKE, Altec Service district manager in Philadelphia, visited here yesterday.

•

HERBERT HILLMAN, former student at the College Theatre, New Haven, now in service at the Air Base, Bangor, and MILDRED LICHTER have become engaged.

•

HELEN PLATT has returned to the Warner office, New Haven, after a month's leave of absence.

Grant Browne, Bioff Appeals Extension

William Bioff and George E. Browne yesterday were granted an extension until Feb. 10, 1942, by Federal Judge John C. Knox to file their bill of exceptions and assignment of errors on their appeal from conviction for extortion. The extension was made after Martin Conboy, defense attorney, stated there were 2,180 pages of minutes to prepare.

Five stockholder suits resulting from alleged payments to Bioff and Browne are pending against Paramount, its officers and directors, it was disclosed by an application of the company for consolidation in N. Y. Supreme Court. Paramount in its answers to the suits contends that the three-year statute of limitations has expired, and also sets up a defense that officials of the company acted in their best judgment in making the payments.

Says Curb on I. A. Heads to Be Sought

ROCHESTER, Dec. 9.—A curb on the power of IATSE officials will be sought by the New York State locals in the IA at the next convention tentatively set for next June, according to Michael J. Mungovan, business agent of the local here. The necessary revisions in the constitution and by-laws will be sought, Mungovan said.

'Pressure' Drive Planned by S.P.G.

The Screen Publicists Guild has announced the establishment of "pressure campaign" headquarters at the Hotel Piccadilly. The "campaign" will be conducted against home offices here because of failure of negotiations, it was said.

The Guild also volunteered its members' services en masse to civilian defense agencies.

Edgar Moss Heads Phila. Variety Club

PHILADELPHIA, Dec. 9.—Edgar Moss has been elected chief barker of the local Variety Club. Other officers are: Charles H. Goodwin, first assistant; David Supowitz, second assistant; Earle W. Sweigert, national canvasman; Elmer O. Wilschke, secretary; William McAvoy, Jr., treasurer.

Jack Beresin and McAvoy were elected national convention delegates. Samuel H. Stiefel is chairman of the entertainment committee, and Wilschke chairman of the house committee. Moss will preside at the club's seventh annual banquet at the Bellevue-Stratford Hotel next Sunday night, with James J. Walker as toastmaster.

Barkers to Attend Ampa's Luncheon

Chief barkers of a number of Variety clubs around the country have accepted the invitation to attend Ampa's testimonial luncheon to the Variety Clubs and John H. Harris and Robert J. O'Donnell, national officers, tomorrow at the Hotel Edison, according to Vincent Trotta, Ampa president. William McCraw of the Dallas club, former Attorney General of Texas, will be master of ceremonies.

Delay Seattle Affairs

SEATTLE, Dec. 9.—A dinner dance for the local industry scheduled for Dec. 12, has been postponed because of the unity meeting in Chicago. The annual meeting of the ITO of Washington, also will await the outcome of the Chicago sessions.

Nick to Ask Rehearing

ST. LOUIS, Dec. 9.—A motion for a rehearing on the action of the U. S. Supreme Court in denying a review of the conviction of John P. Nick and Clyde A. Weston, ousted heads of the local operators' union, will be filed Dec. 19, attorneys here stated.

KRS Drops Aid to Army Film Council

LONDON, Dec. 9.—The Kinematograph Renters Society (distributors) today formally decided to extend no further collaboration to the new War Office Film Committee, despite the invitation of the Army Council. It withdrew the present mandate for society members to represent it on any War Office committee.

The move is in reply to the appointment of Paul Kimberly as director of Army Kinematography without consultation with the KRS. The organization today also discussed the rental situation and the value of the percentage only selling policy, but no decision was reached. A third American company threatened to join two others in refusing to permit the KRS to dictate its rental terms, and the matter was put over.

To Admit Soldiers To Chicago Houses

CHICAGO, Dec. 9.—Through the efforts of the amusement and recreational division of the Chicago Commission on National Defense, headed by James E. Coston, zone manager for Warner Theatres, arrangements have been made to admit more than 1,000 members of the armed forces free of charge to many amusement places in the downtown district.

These include the six deluxe houses operated by Balaban & Katz; the Oriental, RKO Palace, Woods, Clark, Monroe, Astor, and the two newsreel theatres, the Telenews and Today. The defense commission is hopeful that neighborhood theatres also will cooperate.

Hollywood Unit of USO Starts Tour

HOLLYWOOD, Dec. 9.—The first West Coast unit of the USO-Camp Shows, Inc., has left here on a four-month nationwide tour of Army camps and Naval stations. Known as the "Sunshine Review," the show was produced by Marco of Fanchon & Marco.

Ohio Veteran Dies

DAYTON, O., Dec. 9.—James F. Potts, 73, operator of the first film house in Portsmouth, O., and later operating theatres in Cincinnati, died at his home here yesterday.

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(Registered U. S. Patent Office)

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Harmony Keynotes All-Industry Conference

All Enterprises in Canada Included In License System

TORONTO, Dec. 9.—All busines enterprises in the Dominion, manufacturing, importing, wholesale, retail and service units, are to be brought under the domination of a license system, it has been announced by the Wartime Prices and Trade Board, of which David Gordon of the Bank of Canada is chairman. The move is intended to cover all companies and establishments under a control system, which have not already been brought under the scope of the two Orders-in-Council for the freezing of retail prices, theatre admissions and other consumer costs.

Deadline Today

Those already specifically mentioned as coming within the scope of the regulations which became effective Dec. 1 have been given until Dec. 10 to apply for their business operating licenses and the board has announced: "Other businesses should not apply for licenses until asked to do so." It is anticipated that film distributing companies and importers of equipment and accessories will come under the widened licensing edict so that the releasing of films may eventually be regulated. The official hint of things to come contained the following statement: "All persons coming within the provisions of the new order will be automatically licensed under its terms."

Includes Related Services

In the including of "the exhibiting of motion pictures," the interpretation is made of the word "services" as follows: "Services means the following specified services and any services associated therewith or ancillary thereto, and also any activities or undertakings that may hereafter be designated by the board as services for the purposes of these regulations." Eleven services are designated in the order and one of them is the exhibiting of motion pictures.

Whether control of film rentals is intended to be a part of this requirement or not is a matter of interpretation, it is contended by film trade officials. Film distribution can be called a service associated with the exhibition of films and the wording of the offical interpretation also makes it possible for the board to say that film renting or any other activity can be brought under the scope of price level.

Sees Dimes Setup In Future Drives

(Continued from page 1)

war drives that are sure to come, it was stated yesterday by C. C. Moskowitz, co-chairman with Schenck in the 1942 March of Dimes drive.

First instructions were sent yesterday by Schenck to the state chairman for the drive, to be held Jan. 22 to 29. Moskowitz said that leading exhibitors throughout the country have volunteered their services and that a number of important circuits have agreed to cooperate. Collections will be taken in lobbies.

Ways and Means Group Maps Industry Program

(Continued from page 1)

ways and means committee to set up an all-industry program.

Representing exhibitors on the committee are: H. A. Cole and Sidney Samuelson, Allied States; Ed Kuykendall and Max A. Cohen, MPTOA; and Robert H. Poole and Leo Wolcott, representing units not affiliated with either national exhibitor organization, such as the PCCITO, the ITOA of New York and others. Neil Agnew and T. J. Connors were named to represent decree consenting distributors and Steve Broidy of Monogram, to represent non-consenting distributors.

The committee met tonight to draft a program of action and is scheduled to report back to the conference tomorrow morning. The committee was set up on a motion by Kuykendall to form such a group in order to simplify execution of the purposes of the conference and that the committee formulate a program of action.

Jack Kirsch, president of Illinois Allied, presided. The meeting at the Blackstone Hotel today was studded with nearly 100 trade leaders from all over the country. Many addressed the conference which started shortly after 1:00 P.M., with the consciousness of the nation's entry into war overshadowing the thoughts of all.

Top Executives Attend

Among the leaders present were: Nicholas M. Schenck, Barney Balaban, George J. Schaefer, William F. Rodgers, J. Robert Rubin, Austin Keough, Felix Jenkins, Connors, Agnew, Claude Lee, John Balaban, Jack Cohn, Abe Montague, James R. Grainger, Broidy, Joseph Bernhard, Harry Brandt, Ned Depinet, Charles Reagan, Poole, Eddie Rubens, Harry Arthur, Kuykendall, Cole, Samuelson, Cohen, Lewen Pizor, Oscar Lam, Fred Wehrenberg, H. V. Harvey, Jack Miller and Pete Wood.

Myers, in his address, revealed that among the proposals advanced for consideration are the formation of a single, national exhibitor organization, a new selling method to replace the decree's blocks-of-five system and the establishment of a national conference and mediation board for the industry.

MOTION PICTURE DAILY reported yesterday that these three proposals would be among the most important to be broached at the meeting.

Myers informed the delegates that Allied's members are unwilling "at this time" to merge with or become a part of a single, national exhibitor organization. Asserting that the proposal required more thorough study, Myers said that without a background of experience in such a project and particularly because of financial and other requirements, Allied is unwilling now to relinquish its right to function independently when required to do so.

Discussing Allied's motives in calling the unity conference, Myers said that it is Allied's conviction that the blocks-of-five sales method "has proved unsatisfactory to the great majority of its members." He said that the conference was arranged without a concrete plan complete in details, and that for the time being Allied "has gone no further than to approve the simplest kind of industry organization based upon the voluntary cooperation of all concerned, namely, a national, joint conference committee which would function as a voluntary planning and mediation board."

In this connection Myers analyzed Allied's seven-point declaration of policy, uring it as being worthy of the consideration of such a board. That policy, as already reported, contemplates an industry defense against unfair taxation and outside attack; the undertaking of goodwill activities, such as institutional advertising; protection of industry priorities on essential materials; the replacement of the decree selling system with a more acceptable one and the establishment of machinery for the discussion and possible adjustment of practices opposed by any branch of the industry or substantial portion thereof.

William F. Rodgers, Loew's vice-president and general sales manager, said in addressing the meeting that in his 32 years' experience in the business he had attended no gathering which compared with this in importance and number of industry leaders present.

"More than ever before do we need unity, with attention being focused on the industry," he said. "There are no problems that cannot be ironed out at a round table".

Offers Ampa's Aid

A resolution giving Ampa's endorsement to a public relations program on behalf of the entire industry and offering the services of Ampa and its industry advertising, publicity and exploitation members to such a project was presented by Maurice Bergman, Ampa's delegate. The resolution proposed that the industry conference appoint a committee to formulate a public relations plan and that this committee submit a report on ways and means of carrying out such a plan within 30 days.

Leo Wolcott of Iowa-Nebraska Allied offered resolutions, which were tabled.

Adjust Problems, Schenck Tells Meet

Chicago, Dec. 9.—"Exhibitors and distributors should adjust all problems among themselves," Nicholas M. Schenck, president of Loew's, told the all-industry unity meeting here today.

"All problems should be met by unity," he said. "Out of that cooperation will come unity, strength, friendship and security in our industry."

'Last Chance' To Unite, Kent Tells Meeting

(Continued from page 1)

obstacles and more serious problems in the future.

Kent presented his views in a letter addressed to Abram F. Myers, who read the missive to the assembled audience.

Introduces Connors

His letter introduced T. J. Connors, newly appointed executive assistant to Kent, who, he wrote, "will carry forward the conviction I have always had with regard to the great value of inter-industry cooperation."

Kent also paid tribute to William F. Rodgers of M-G-M, asserting that if everyone else had done as much as he to preserve industry cooperation there would now be unity in the trade.

Kent drew a comparison between the industry and the experience of American organized labor which, he recalled, after having been high in public favor for many years, now "faces the most drastic laws against any class ever intended in our country."

"We, as an industry, face the same thing if we continue with our internal agitations," he stated. "We will earn just what we will get."

Traces Negotiations

Kent traced the history of inter-industry negotiations from the old 5-5-5 pact up to the present. Asserting that "while the results which we obtained in the past were not always perfect, we kept together," Kent related that ultimately "agitation took the place of good will and cooperation," and that, thereafter, "trade practice conferences failed and the decree, laws and lawsuits took the place of wise industry counsel and cooperation."

"This is our last chance to regain lost ground before we get more legislation and more lawsuits," Kent said.

His letter reminded exhibitors that despite their cries that they are being driven out of business, "we all have survived and gone ahead." And he said that the distributor must go back to the realization that the independent exhibitor has a proper place in the business "and is an economic necessity and not a hardship."

"As to the problem of chain theatres, it appears about to be tested in the courts and the final answer is now beyond either side," Kent stated.

Foreclose in Baltimore

BALTIMORE, Dec. 9.—Keith's Theatre, 26-year-old vaudeville and film house, will go on the block in about three weeks under mortgage foreclosure proceedings instituted here in Circuit Court against the Maryland Theatrical Corp., which operates Keith's, by the Lexington Theatre Co., of which Morris Mechanic is president.

FREDRIC MARCH TE



A Bedtime

WITH **ROBERT BENCHLEY** * **ALLYN JOSLYN**

Screen play by Richard Flournoy · Story by Horace Jackson and Grant Garrett · Directed by **ALEXANDER HALI**

LORETTA YOUNG





THEIR *EYES* MET AT TWILIGHT!



THEIR *LIPS* MET AT MIDNIGHT!



THEIR *LAWYERS* MET AT DAWN!



Story

EVE ARDEN ⋆ HELEN WESTLEY

COLUMBIA PICTURES

⋆ Produced by B. P. SCHULBERG · A COLUMBIA PICTURE

'Honky Tonk' Chicago Best With $32,000

CHICAGO, Dec. 9.—"Honky Tonk" at the State-Lake took a big $32,000, and the Oriental with "Public Enemies" and the A. B. Marcus Revue on the stage garnered $24,000.

Estimated receipts for the week ending Dec. 4:

"Smilin' Through" (M-G-M)
APOLLO—(1,400) (30c-40c-59c) 7 days. Gross: $9,500. (Average, $5,000)
"A Yank in the R.A.F." (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Variety Show. Gross: $36,000. (Average, $32,000)
"Sergeant York" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $8,000. (Average, $5,000)
"Public Enemies" (Rep.)
ORIENTAL — (3,200) (25c-35c-40c-50c). Stage: A. B. Marcus Revue. Gross: $24,000. (Average, $16,000)
"Suspicion" (RKO)
"Week-End For Three" (RKO)
PALACE—(2,500) (30c-40c-60c) 7 days, 2nd week. Gross: $12,500. (Average, $13,000)
"New York Town" (Para.)
"Badlands of Dakota" (Univ.) 1 day, 3rd week
"Swamp Water" (20th-Fox)
"Great Guns" (20th-Fox)
ROOSEVELT — (1,500) (30c-40c-59c) 7 days. Gross: $9,100. (Average, $11,000)
"Honky Tonk" (M-G-M)
STATE-LAKE—(3,700) (40c-44c-55c-75c) 7 days. Gross: $32,000. (Average, $14,000)
"The Chocolate Soldier" (M-G-M) 1 day, 3rd week
"Two Faced Woman" (M-G-M) 6 days
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days. Gross: $18,500. (Average, $14,000)

'Flying' Baltimore Winner at $16,000

BALTIMORE, Dec. 9.—"Keep 'Em Flying" scored a very strong $16,000 at Keith's, in a week of generally good business at all houses.

Estimated receipts for the week ending Dec. 4:

"Two-Faced Woman" (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $12,000. (Average, $10,000)
"Keep 'Em Flying" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $16,000. (Average, $8,000)
"Hot Spot" (20th-Fox)
NEW — (1,581) (15c-28c-35c-55c) 7 days. Gross: $9,500. (Average, $9,000)
"One Foot in Heaven" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)
"You Belong to Me" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show including Dave Apollon, Lee Sims and Ilomay Bailey, and others. Gross: $16,000. (Average, $14,000)

Legion Approves 7 Of Nine New Pictures

The National Legion of Decency for the current week has approved seven of nine new films, five for general patronage and two for adults, and classed two as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Go West, Young Lady," "Obliging Young Lady," "Tarzan's Secret Treasure," "Texas Manhunt," "Tuxedo Junction." Class A-2, Unobjectionable for Adults—"The Body Disappears," "Confirm or Deny." Class B, Objectionable in Part—"I'll Sell My Life," "Louisiana Purchase."

Gillespie on 'Corsican'

James Gillespie has been assigned by United Artists to the West, Northwest and Midwest on promotion for "Corsican Brothers."

Reviews

"Bedtime Story"
(*Columbia*)

Hollywood, Dec. 9

EQUIPPED with a script full of humorous dialogue and amusing complications, Fredric March as a playwright and Loretta Young as his actress wife provide a maximum of onstage, offstage and backstage entertainment in this comedy of careers, conflicts and coincidences.

The story has to do with the actress-wife's determination to retire from the stage to a life of simple domesticity and the playwright-husband's determination that they shall continue their professional careers. She persists, despite his attempts to dissuade her, to the point of divorcing him and marrying another man, but discovers in time that her divorce was not valid and her second marriage is therefore without standing. Reunited, actress and playwright compromise on a life divided between home and career.

Highlight of the picture, according to riotous response of a theatre preview audience, is the sequence in which the husband, discovering as his wife has that her second marriage is invalid, rescues her from a hotel apartment by sending a procession of porters, chambermaids, plumbers, exterminators, waiters, finally a band of celebrating conventioneers, into the department which the would-be second husband has dined his supposed bride preliminary to retiring. A free-for-all ensues, out of which husband and wife emerge safely. Handling of the bedroom situation observes the proprieties somewhat more carefully than is typical of sophisticated comedies in general.

Robert Benchley, Allyn Joslyn, Eve Arden, Helen Westley, Joyce Compton, Tim Ryan, Olaf Hytten, Dorothy Adams, Clarence Kolb and Andrew Tombes are seen in competent support. Production is by B. P. Schulberg, direction by Alexander Hall, Richard Flournoy furnishing the script derived from a story by Horace Jackson and Grant Garrett.

Running time, 85 minutes. "A."* ROSCOE WILLIAMS

*"A" denotes adult classification.

"Borrowed Hero"
(*Monogram*)

Hollywood, Dec. 9

NOVELTY of story and dispatch in its telling lift this metropolitan melodrama well above the par of contemporary offerings of kindred subject matter and comparable budget.

Approach to the topic of civic corruption, which is the film's principal concern, is by way of a young attorney whose accidental assistance to police in capture of a killer make him a headline hero. The civic leader, who is also the chief grafter, arranges the young man's appointment as special prosecutor, planning to use him as unwitting stooge in the gang's operations. At the turning point, however, the young man adopts gang methods and, taking one of the gang's killers for a ride and threatening him with death, brings the story to righteous conclusion.

Ben Roberts and Sidney Sheldon furnished the story and Earle Snell the screenplay which producer A. W. Hackel and director Lewis D. Collins filmed in a manner to produce maximum screen effectiveness.

Players are Alan Baxter, Florence Rice, John Hamilton, Constance Worth, Wilma Francis, Richard Terry, Mary Gordon, Jerry Marlowe, Stanley Andrews, George Dobbs, Paul Everton, Guy Usher and many more.

Running time, 65 minutes. "G."* ROSCOE WILLIAMS

"Come On Danger"
(*RKO*)

Hollywood, Dec. 9

LEADOFF in the group of three Tim Holt westerns being offered in a block by RKO, "Come On Danger" piles up more action in its short running time than any outdoor film screened for some time. With Holt supported by Ray Whitley and Lee "Lasses" White, his perennial buddies in the series which is now in its second year, the picture has personal and mob movement, comedy, a dash of romance and music all tied up with an exciting story.

The trio enact the roles of Texas Rangers who, disguising their identity, clean out the gang of a grafting tax assessor who attempts to murder ranchers led by a girl whose land he has stolen. Edward Killy, identified with all previous Holt westerns at RKO, and Bert Gilroy, the producer of the entire group, utilize every foot of the film to best advantage in filling it with ingredients to satisfy action fans. An extremely fast tempo is maintained.

Frances Neal, Karl Hackett, Malcolm McTaggart, Glenn Strange and others support the trio.

Running time, 58 minutes. "G."* VANCE KING

*"G" denotes general classification.

Short Subject Reviews

"Holt of the Secret Service"
(*Columbia*)

Two well-established box-office favorites, Jack Holt and Evelyn Brent, play the leading roles in the new 15-chapter serial directed by James Horne. Based on a screening of the first two chapters, this is a story which is likely to have considerable appeal both to adults and children, as it is chockfull of action right through. Each episode ends with a short trailer calling attention to the next chapter.

Holt and Brent are assigned by the Secret Service to track down a gang of counterfeiters. Holt poses as an escaped convict while Miss Brent poses as his gun-moll wife. Others in the cast include Montague Shaw, Tristram Coffin, John Ward, Ted Adams, Joe McGuinn, Edward Hearn, Ray Parsons and Jack Cheatham. Running time, first chapter, 30 mins.; others, 20 mins. Release, Nov. 21, 1941.

"The Fox and the Grapes"
(Color Rhapsody)
(*Columbia*)

There are some clever animations in this story of a wily fox who sets out innocently on a picnic. After spreading his lunch, a crow tempts him with a bunch of grapes, offering to trade the grapes for the lunch, but the fox tries to get them without paying anything. After many attempts, he succeeds, but finds the grapes are sour. It is in Technicolor. Running time, 8 mins. Release, Dec. 5, 1941.

"California or Bust"
(Western Musical)
(*RKO-Pathe*)

Ray Whitley and his "Six Bar Cowboys" join a wagon train setting out for California where, it is said, lies a wealth of gold. The group sings a number of Western tunes which are fairly enjoyable, but the story and its presentation are barely adequate. Highlight is an Indian attack which is staged in a manner that might impress children. Running time, 18 mins. Release, Nov. 7, 1941.

"The Copacabana Revue"
(Headliner)
(*Paramount*)

With Pancho and his orchestra, Juanita Juarez, vocalist, and the "Samba Sirens," all concerned with "conga" song and dance, this adds up to a good musical subject. The "Sirens" are a group of girls featured at Copacabana, prominent Broadway night spot. A dance team and acrobats also are on the program. Running time, 10 mins. Release, Nov. 28, 1941.

"Information Please, No. 2"
(*RKO-Pathe*)

Howard Lindsay, star of "Life With Father," is the guest expert in this continuation of the quiz series. The regular board of experts and Clifton Fadiman are present, as usual. A number of visual queries are used such as quoting lines of poetry suggested by pantomime acts. The caliber of entertainment of the series is maintained with this. Running time, 10 mins. Release, Oct. 17, 1941.

FCC Sets Up Machinery in Raid Areas

Machinery for silencing broadcasting stations in areas where air raids are threatened was set up by the FCC yesterday, it was announced in Washington.

Field inspectors have been assigned to liaison duty between the interceptor command of the Army and the stations in each area. Orders issued by the inspectors to shut down must be complied with immediately, the commission warned.

Meanwhile, in San Francisco, where stations went off the air at about 9 P.M. Monday, normal operations were resumed shortly after 4 P.M. yesterday.

Under the FCC setup, stations will be advised promptly so that they may resume programs and a system of quick communication will be organized to expedite the movement of orders to close down or start again. At present, it was said, inspectors are stationed at interceptor command headquarters at New York, Seattle, Tampa, Fla., and Riverside, Cal., but additional inspectors will be sent to 19 other cities.

In New York, fingerprinting and photographing of every official and employe of networks and stations were begun. Precautions were taken to prevent casual visitors from entering offices unless properly identified.

Short Wave on 24 Hours

Short wave operations at NBC were extended to 24 hours daily with all commentators banned. Network news is no longer being used. Instead, it is being prepared specially by the short wave staff. Like the domestic broadcasters, all short wave stations are concentrating almost exclusively on news. NBC also added a ninth language, Turkish, while CBS broadcasts with 10.

Networks continued for the third day to operate continuously throughout the day and night, with many commercial programs cancelled or shortened. The air raid alert in the New York area occupied local stations all day but none went off the air. Later, stations broadcast the information that it was a practice signal. Recognizing the possibility of confusion, NBC banned the sounding of sirens or gongs on all dramatic programs. Even old established programs like "Gangbusters" which have used sirens as themes for long periods will be compelled to change, it was stated.

WOR during the day broadcast air raid sirens to familiarize listeners with the sound and cooperated with police during the alert signal.

Coast Situation Eased

The interceptor inspectors set up yesterday by the FCC eased the West Coast situation where stations previously had understood that they were to go off the air each night at 7 P.M. Under the new order, they will continue to broadcast until ordered to stop. Programs originating on the Coast continued to be fed to the networks despite the fact that the stations there were off the air. The fact that such shows are transmitted by telephone lines, of course, made such continuance possible.

Television, too, played a part in disseminating war news. WCBW, the CBS station televised a copy of Mayor LaGuardia's brochure, "If It Comes," concerning air raid precaution, immediately after it was issued and also picked up a diagram of an Air Raid Protection Service map of a city block prepared by Senior Post Warden Edward E. Georges.

Foreign Language Stations Offer Aid

Foreign language station representative in the metropolitan area, meeting at the offices of WHOM yesterday, called upon national, state and city defense organizations to make fuller use of their facilities to reach foreign-language groups. It was pointed out that many in the city understand fully only their native languages.

Programs are available in Italian, Polish, German, Yiddish, Spanish, Hungarian, Lithuanian, Czech, Ukrainian, Greek, Armenian, Chinese, Syrian, Russian and French. Stations represented were WBYN, WCNW, WBNX, WWRL, WEVD, WHOM and WOV.

Off the Antenna

SEPARATE corporate setups for the Red and Blue networks were ready to be announced by NBC at the board meeting Monday, but the declaration of war caused postponement of the announcement, it was reported unofficially yesterday.

• • •

Purely Personal: *Jack Hyatt has joined the radio division of the Committee for the Celebration of the President's Birthday. . . . Irwin Elliott, news editor of WFBR, Baltimore, and Ruth Huber will be married Dec. 25. . . . Free E. Willson, formerly with WILL, Champaign, Ill., has joined the sales staff of WIND, Chicago. . . . Chester B. Cahn has joined the WBYN sales staff.*

• • •

Hundreds of telegrams and letters requesting the text of speeches made last week at the dinner given by William S. Paley, CBS president, to Edward R. Murrow, the network's chief of European correspondents now here on a visit, has resulted in a decision by the network to print a booklet containing the speeches of Paley, Murrow and Archibald MacLeish. Many requests have been received from those attending the dinner, as well as from listeners, it was said.

• • •

Despite extra precautions to prevent entrance to NBC offices these days, the network has decided to continue the tours through Radio City. Admittance of all persons to the studio elevators is carefully checked and even newspapermen covering the network are required to carry passes.

• • •

Ira Walsh, *WPEN, Philadelphia, publicity director, has resigned to take the post of radio and television coordinator for the physical fitness program planned by the Civilian Defense Board.*

MBS Stock Plan Delayed

Consummation of a plan for increased stockholdings by member stations of Mutual was prevented by details which could not be completed at a recent board meeting, but progress was made, it is stated.

W.E. 75-Cent Dividend

Western Electric Co. board of directors yesterday declared a dividend of 75 cents a share on common stock.

CBC Launches 5th Year with Murray

TORONTO, Dec. 9.—The Canadian Broadcasting Corp. has launched the fifth year of its operation in its present setup under Federal Government auspices, it has been formally announced, under the continued management of Gladstone Murray. The CBC has completed its short-wave receiving station at Britannia Heights in Eastern Ontario as an Empire link. Monitors are on duty 16 hours daily at this station for the maintenance of a listening post to foreign broadcasts.

War Booming Sale Of Portable Radios

The war has boomed the sale of portable radios. A CBS survey indicated that Bloomingdale's was selling them "like hotcakes" with sales about 800 per cent above normal. Macy's reported an increase in its entire radio business, although portables led.

Surveying newspaper sales CBS found the *Journal-American* circulation on Monday increased about 35 per cent to about the million mark; the *World - Telegram* increased about 50 per cent, while the *Herald Tribune* exceeded its normal circulation by about 100,000.

Says Only 2% Listen To European Shows

MONTREAL, Dec. 9.—Only two per cent of the people of the United States listen to short wave broadcasts from Germany and Great Britain, E. P. H. James, sales promotion manager for NBC-Blue, told the Advertising and Sales Executive Club of Montreal. He pointed out that short wave propaganda thus would have very little effect on this side of the Atlantic.

James declared more Canadians listen to U. S. broadcasts than vice versa and that Canadians are therefore more familiar with U. S. thought. He said Canadian sponsored broadcasts should be increased in the United States.



War Jitters Slash Gross Over Country

(*Continued from page* 1)

of the loss being after 6:30 P. M., due to the war news and the President's speech. Neighborhood business was off from 10 to 40 per cent, with the smaller houses hit hardest. One Indiana circuit head said that grosses at all its theatres, in towns of 30,000 and up, has been cut almost in half since Sunday.

Theatre attendances in the Los Angeles area dropped an estimated 50 per cent of normal, especially in the Long Beach and San Pedro areas, sections of which were evacuated of civilians. A blackout of that area was ordered at 5 P. M.

Exhibitors in areas where blackouts were ordered, or air raid alerts were in progress, were particularly hard hit.

Schools were dismissed yesterday after the sounding of New York's first air raid signal.

Theatres Carry Speech

The time of the President's speech, 10 P.M., affected Eastern theatres least but the other time zones across the country were hit harder. Most neighborhood houses here made arrangements to carry the speeches over the loud speaker systems. Schedules were adjusted to permit the speech to be heard between features.

In Washington, President Roosevelt's address, combined with a partial blackout, reduced theatre attendance to skeleton figures. The three Loew houses piped in the speech to their audiences. The blackout extinguished all theatre marquee and neon signs.

Loew's, RKO, Century, Randforce and Brandt were among the New York circuits which carried the speeches from the stage. All theatres which did not follow suit, made arrangements to have the speech heard over lobby receivers.

Newsreel theatres in New York receive news from Transradio Press and are flashing important bulletins on the screen as fast as they arrive. Tickers are installed in the lobbies to be watched by patrons.

The League of New York Theatres, organization of legitimate stage producers and theatre owners, announced yesterday that these houses would be furnished with bulletins by the League to be read from the stage during intermissions.

Shutting off of marquee and house lighting in San Francisco during Monday's blackout cut grosses more than 60 per cent, it was reported.

Blackouts in Canada

From Canada came word that the danger of raids on the U. S. coast had resulted in increased air raid precautions at coastal cities. Vancouver, Victoria and other cities on the lower British Columbia mainland have undergone complete blackouts, it was reported, affecting about 45 houses in that area alone.

In Seattle, where blackouts are underway from 11 o'clock, business is at its lowest point in months, it was reported.

Reviews

"Johnny Eager"

(*M-G-M*)

Hollywood, Dec. 9.

THIS is the story of a gangster, a master of men and a magnet for women, whose ruthlessness, skill and complete lack of morals, honor or sportsmanship carry him triumphantly through a series of crimes, ranging from parole violation to murder, to a point where, overtaken by his first honest impulse, he is trapped in a street battle and killed by a policeman after having mowed down a rival gang. A literal interpretation of the eventuation would be that he'd have continued triumphantly if he hadn't yielded to his one honest impulse.

It is one of the longest, most elaborately staged and most "all out" gangster pictures ever produced, although not the most convincing, due in part to some ultra-literate dialogue and in part to accentuation of the character-study angle.

In its combining of killer and Casanova characteristics in the personality of the principal figure, and in its emphasizing of the slavish adulation of the gangster by the women in his life, the film recalls vividly the same studio's 1931 production of "A Free Soul."

Robert Taylor plays the irresistible ex-convict with Lana Turner, Patricia Dane and Glenda Farrell portraying his voluntarily enslaved inamoratas (to use a word made much of in the dialogue) in various stages of preference. Van Heflin, as the gangster's collaborator, and Boswell steals the picture repeatedly, and Edward Arnold dominates the few scenes in which he appears. Robert Sterling, Henry O'Neil, Diana Lewis, Barbara Nelson and Charles Dingle head a long list of supporting players.

The film is unsuitable on several points for exhibition to children and for some types of adult patronage.

Production is by John W. Considine, Jr., direction by Mervyn LeRoy, from a screenplay by John Lee Mahin and James Edward Grant based on a story by Grant.

Running time, 105 minutes. "A."* ROSCOE WILLIAMS

** "A" denotes adult classification.*

"The Wolf Man"

(*Universal*)

THE fantastic legend of the werewolf again is brought to the screen, this time under the guidance of George Waggner, from an original screenplay by Curt Siodmak. It is still fantastic, still highly implausible, but it does have a full measure of suspense and thrill, and as such offers exploitable entertainment of its kind.

The cast is an unusually good one, and strong in marquee material, including Claude Rains, Ralph Bellamy, Warren William, Lon Chaney, Jr., Bela Lugosi, Patric Knowles and Maria Ouspenskaya.

The story is enacted in an atmosphere of fog and darkness in an English village. Chaney, returned after many years to the ancestral castle where his father, Rains, is master, is bitten by a werewolf in attempting to save the life of a girl, and so becomes a werewolf himself. As the village is panic-stricken, the werewolf strikes, while Rains attempts to lead his son's mind from his condition, and Bellamy, constable, leads the wolf—or man—hunt. In love with Evelyn Ankers, village girl, Chaney seeks to save her for himself. In a suspense-laden final sequence, Chaney is caught in a trap, returns to his proper physical appearance, and word is spread that he died trying to save the girl.

Running time, 70 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Accept Shipment to Far East Markets

(*Continued from page* 1)

ments with the outbreak of war in the Pacific, it was said. Shipments are being accepted to the Philippines, Dutch East Indies, Straits Settlements, Australia and New Zealand. India and Burma likewise are unaffected by the war.

The situation confirms opinions of a majority of home office foreign executives who, as reported in MOTION PICTURE DAILY yesterday, foresee no immediate loss of major markets in the Far East.

File 29th Complaint At New York Board

The New York arbitration board received its 29th complaint yesterday with the filing of a demand by Loren Theatres, Inc., operator of the New Paltz Theatre, New Paltz, N. Y.

The complaint names Loew's and alleges that the distributor has granted unfair clearance to Loew's Bradwin, Poughkeepsie, and to the Broadway, Kingston, N. Y., over the New Paltz. According to American Arbitration Association headquarters, the complaint seeks an award permitting the New Paltz to play ahead of either one of the two competing theatres named, instead of after both of them.

Studios Take Precautions For Safety

(*Continued from page* 1)

precautions and studio protection. Fire and police reserves are being enlisted and blackout curtains have been ordered.

Ten IATSE business representatives instituted a survey to determine the qualifications of technicians for service in civilian defense. Thousands of studio workers have already joined these services.

Rearrange Schedules

Studio shooting schedules have been rearranged to avoid the necessity for night location work. Warners began building new exterior sets to take the place of outdoor locations.

Also affected are plans of several companies to shoot scenes on sea locations. All commercial vessels have been ordered into port and harbor traffic is restricted.

Lieut. Col. Richard Schlosberg and Capt. Sy Bartlett planed in today from Washington to confer with officials on increasing the number of training films for the war services. Schlosberg said that a program of offering commissions in the Signal Corps to top creative talent was under consideration and details would be revealed shortly.

SWG Rallies Members

The Screen Writers Guild executive board today placed its members' services at the disposal of all defense services and called a mass meeting of all writers and publicity men for Monday night when plans for extended cooperation will be announced. Captains have been appointed at each studio to enlist volunteers. A wire pledging support was sent to President Roosevelt.

Garbo Picture Is Revised by Metro

(*Continued from page* 1)

Douglas for one day's shooting was necessitated in the revision, which also involved elimination of certain items of dialogue and scenes. It is learned that the effect of the changes is to show that the husband who did not detect the wife's disguise until late in the original version discovers it early in the revised version.

The picture in its original version closes a week's run here tomorrow to moderate business which slumped in proportion to all local grosses following the outbreak of war.

Seattle Censor May Review Garbo Film

SEATTLE, Dec. 9.—With "Two Faced Woman" scheduled for opening at Hamrick-Evergreen's Paramount on Dec. 17, the Seattle Board of Theatre Censors will meet in special session next week to consider the advisability of requesting a preview before the opening date.

Meanwhile, John Hamrick, circuit head, said the public showing would be held as scheduled with such elimination as the censor board requested.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 115 NEW YORK, U. S. A., THURSDAY, DECEMBER 11, 1941 TEN CENTS

Call New York Exhibitors to Air Raid Meet

Valentine Will Instruct Staffs Tomorrow

Police Commissioner Lewis J. Valentine of New York City yesterday called an emergency meeting for 10 A.M. tomorrow at Loew's Ziegfeld Theatre, Sixth Avenue and 54th Street, Manhattan, of all circuit and independent exhibitors, theatre managers and their assistants for the purpose of informing and instructing them on matters pertaining to a surprise air attack.

Valentine will outline the correct methods of handling audiences and protecting property in addition to dealing with incendiaries and the like.

Since the war broke out on Sunday local theatre men have been inquiring

(*Continued on page* 11)

Radio Under War Control

Full control of all radio facilities in the country was yesterday placed in the Defense Communications Board by President Roosevelt in an executive order giving the DCB authority "to designate radio facilities for the use, control, inspection or closure by the War or Navy departments or other agencies of the Government."

The order paves the way for whatever action may be found necessary to shut down stations which may interfere with military transmissions or serve as beacons to approaching en-

(*Continued on page* 12)

FDR Air Audience Rated All Time High

The greatest radio audience of all time in this country heard President Roosevelt's address to the nation Monday night, it was agreed by Cooperative Analysis of Broadcasting and C. E. Hooper, Inc., which conducted such surveys. Hooper placed this audience at 90,000,000, not taking into account the fact that larger groups were gathered around each radio than ordinarily.

CAB made no effort to project the figures but stated that 83 per cent of

(*Continued on page* 12)

'U' Gross for Year Over $30,000,000

Universal's gross for the fiscal year ended last Nov. 2 passed the $30,000,000 mark, it was learned yesterday.

This is a $3,000,000 increase over the preceding year and compares with $17,000,000 gross for 1937, which preceded the present management headed by Nate J. Blumberg and J. Cheever Cowdin. Indications are that the last fiscal year will show a net of approximately $4,000,000, according to report.

Raftery Is Active President of U.A., Selznick Declares

CHICAGO, Dec. 10.—"Edward C. Raftery will be an active president of United Artists and his appointment is not intended as a 'stop-gap' as has been talked about in the trade," David O. Selznick stated here today while en route to the Coast.

Selznick said he has four scripts in preparation and intends to have two pictures shooting by May, one of which will most likely be "Jane Eyre." Joan Fontaine is slated for the lead, with only a remote chance that she might be replaced by Vivien Leigh if the latter returns from England in time.

"Keys of the Kingdom" will not be ready for production for eight or nine months yet, Selznick said, adding that Ingrid Bergman is the only one

(*Continued on page* 11)

INDUSTRY ADOPTS BASIS FOR UNITY

Chicago Meet Creates Permanent Industry Committee with Five Main Objectives; Exhibitors, Distributors Harmonious

By SAM SHAIN

CHICAGO, Dec. 10.—With almost cataclysmic suddenness the motion picture industry after only two days of discussion at the historic unity conference held here has finally found a working basis for inter-industry harmony so long and vainly sought over the years.

For the first time a national conciliation committee has been created with the unanimous approval of all whereby distributor interest and exhibitor desires have been blended. In the opinion of many of the 70-odd delegates here, a miracle has just about occurred. When the conference began and before last Tuesday, they aver, there was open skepticism about the successful outcome of the meeting. The success of this exhibitor-sponsored unity meeting has therefore evoked enthusiastic praise by all delegates, distributors and exhibitors alike.

The unity conference was one which was held under the shadows of war. But this did not impede the purpose for which it had been called, observers say. This meeting was one

(*Continued on page* 9)

The Committee

Chicago, Dec. 10.—The members pro tem of the Motion Picture Industry Conference Committee have been named, with Jack Kirsch as chairman. The group includes:

MPTOA — Ed Kuykendall, Fred Wehrenberg, H. V. Harvey, Max A. Cohen, Lewen Pizor.

Allied States—Col. H. A. Cole, Roy E. Harrold, Sidney E. Samuelson, Martin G. Smith, Jack Kirsch.

Independents — Robert H. Poole, Bob White, John Rugar, Leo F. Wolcott, Harry Brandt.

Distributors — William F. Rodgers, T. J. Connors, Neil Agnew, Abe Montague, James R. Grainger, Samuel Broidy.

A permanent committee will be named after the delegates report to their parent exhibitor boards.

Chicago, Dec. 10.—The MPTOA executive committee tonight approved the unity plan. Ed Kuykendall, president, said a poll of members would be taken immediately and that he had every reason to believe that they would ratify.

200 British Houses Have Reopened in Year: Rose

By SHERWIN A. KANE

More than 200 British theatres have reopened this year after having been closed as a result of air raids or other war causes, according to David Rose, Paramount managing director for Great Britain, who arrived from London early this week.

Rose said yesterday that of Britain's 5,488 theatres, only 340 are closed, as compared with approximately 550 at the first of the year. Some of those put out of commission reopened temporarily after permits for repairs had been obtained, he said. Others had been closed vol-

(*Continued on page* 11)

FWC Studies Effect Of Coast Blackouts

LOS ANGELES, Dec. 10.—Fox West Coast officials tonight were studying effects of blackouts in the West Coast area for the first indication of the ultimate result on business at the circuit's 20 theatres in San Francisco, Long Beach, Wilmington and Torrance districts. All marquees and other outside illumination have been ordered shut off at night under Army orders until further notice as one of the precautions against air raids.

Stearn Named U.A. Western Sales Head

Bert M. Stearn, United Artists district manager for the North Central territory, yesterday was appointed Western division sales manager for the company by Carl Leserman, general sales manager.

Stearn succeeds Haskell M. Masters, who resigned several weeks ago. The appointment is effective immediately. Stearn has been with United Artists for the past 15 years, having started as a salesman in the Cleveland branch. He was subsequently promoted to branch manager at Pittsburgh and six years ago was made

(*Continued on page* 11)

British Problem in New Calls to Arms

LONDON, Dec. 10.—The Cinematograph Exhibitors Association, faced with wholesale depletions of theatre staffs through the Government's new manpower policy, will ask the Ministry of Labor to hear its case immediately after passage of the manpower bill.

Producers believe the Ministry will consider individual applications for exemption of studio technicians. Distributors, also hit, plan to take no action. It is expected all men under 25 will be called, and the present exemptions of certain groups will be cancelled. Without an attitude of conciliation toward films, the industry appears faced with a serious problem, observers declared.

New restrictions on the use of paper are having a serious effect on the use by the industry of posters and stills. However, the poster situation may be eased as the result of a distributor plea to the Board of Trade.

Kaufman Ticket Is Elected in Newark

NEWARK, Dec. 10.—The entire slate of incumbent officers of Local 244 of the operators union here, backed by Louis Kaufman, indicted business agent, has been reelected by a vote of 106 to 51. The opposition vote was larger than many observers expected.

Those reelected included Harold Shabolt, president; Daniel Oliner, vice-president; Harry Oppenheimer, recording secretary, and William C. Uessler, treasurer. George Gilligan led the opposition as candidate for president. The election was supervised by William J. Brennan, Jr., special master in chancery. Kaufman is under indictment in the Federal Court in New York with Nick Dean, alias Circella, on charges of conspiring to extort money from film executives.

Plan New Shea House

BUFFALO, Dec. 10.—Vincent R. McFaul, president and general manager of Shea Theatres, Inc., has announced that the Teck Theatre building, former legitimate house, will be rebuilt to contain a one-story 1,300-seat Shea theatre, bringing the number of downtown Shea houses to four.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!
—*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the
Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center, CO. 5-5474
Eves. except Mon. Mats., Sun., Wed. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

ARTHUR M. LOEW, vice-president of Loew's, arrived in Miami from Rio de Janeiro yesterday and is expected here today by plane.

•

HARRY KOSINER, United Artists home office representative for the Western division, is the father of a daughter, born to MRS. KOSINER Tuesday night at the Park East Hospital.

•

JOEL LEVY of Loew's home office booking department, visited Loew-Poli houses in Bridgeport and New Haven this week.

BEN KALMENSON, Warner general sales manager, has returned from the Midwest.

•

LOUIS D. FROHLICH of Schwartz & Frohlich, Ascap counsel, will leave for the Coast tomorrow.

•

TOM BALDRIDGE of M-G-M has returned to Washington after a New York visit.

•

RALPH MCCOY, Southern and Midwestern sales manager for Warners, has left Chicago on a tour of the South.

It's Barkers Day At Ampa Luncheon

Chief Barkers of a number of Variety clubs are scheduled to attend that Ampa testimonial luncheon to the organization and its national officers, John H. Harris and R. J. O'Donnell, at the Hotel Edison today.

Among them are: Harry Arthur, Jr., St. Louis; M. A. Silver, Albany; Hardie Meakin, Washington; Earl Sweigert, Philadelphia; Paul Short, Dallas; Harry Browning, Boston; M. A. Lightman, Memphis; and James G. Balmer, national dough guy.

Among those who have made reservations for the luncheon, it was announced, are: Barney Balaban, George Schaefer, Jack Cohn, W. F. Rodgers, Nate Spingold, Abe Schneider, Austin Keough, Leonard Goldenson, Sam Dembow, Leon Netter, Ned Depinet, Rube Jackter, David Lipton, Louis J. Barbano, Herman Robbins, J. J Fitzgibbons, Claude Lee, Arthur Israel, Charles Freeman of Dallas; Toby Gruen, William Brenner, Arthur Krim, George D. Tyson, Lou Finske and Edward Hyman.

English Quota Cut Enacted Into Law

LONDON, Dec. 10.—The recent Board of Trade order reducing the existing English film quota percentages by 2½ per cent, to 15 per cent for exhibitors and 20 per cent for distributors, passed the House of Lords today

The order thus becomes law, and will be effective next April 1 for distributors and Oct. 1 for exhibitors.

Mexico Approves 'Kid'

MEXICO CITY, Dec. 10.—"Billy the Kid" has been approved by the Federal Film Supervision and Censoring Board, which forbade its exhibition anywhere in Mexico six weeks ago. Without citing reasons, the board permitted the film at the Cine Olimpia, where it had been booked when the board clamped down on it.

Joins W. B. in Phila.

PHILADELPHIA, Dec. 10.—Earle W. Sweigert, Paramount district manager, has announced the appointment of Albert C. Benson as district short subjects representative, embracing the territory covering Pittsburgh, Philadelphia and Washington. He replaces Sol Jacobs.

Nominate Brooks as Bookers' President

Bernard Brooks of the Rosenblatt-Welt circuit has been nominated for the presidency of the Motion Picture Bookers' Club of New York to succeed Harold Klein. Elections will be held Dec. 22 at the Hotel Lincoln.

Other nominees are: vice-president, Dan Ponticelle, Leo Greenfield, Moe Rose and Theodore Krasner; treasurer, Myron Starr; financial secretary, Louis Solkoff and Philip Horowitz; recording secretary, Pearl Elsohn, Beverly Mamour and Sol Kravitz; board of directors (4), Max Fried, Harold Margolies, Leo Simon, Ann Plisco, Edward Suss, Harold Klein, Alec Arnswalder, Archie Berish and Frances Bregman; trustees (2), Edward Richter, Ben Levine, Arthur Wakoff and Peter Saglembeni; sergeant-at-arms, Robert Finkel and Sam Phillips.

Name Committees of Wisconsin I.T.P.A.

MILWAUKEE, Dec. 10.—William L. Ainsworth, president of the ITPA of Wisconsin and Upper Michigan, has announced committee members for the coming year as follows:

Legislative—Charles W. Trampe, Henry Ringling, F. J. McWilliams, John P. Adler, Milton Ellis; Convention—Trampe; Bert Nathan, Oliver Schmidt and Louis Orlove; Finance—A. C. Guttenberg, Schmidt, A. C. Berkholtz; Membership — Lucille Forbes, Trampe, Ainsworth, Adler, Mark Morgan, Berkholtz and George Fischer.

Odeon Takes New Toronto Theatre

TORONTO, Dec. 10.—The Midtown Theatre, large new house here, has been acquired by Redstone Theatres, Ltd., for a reported $90,000 from Twentieth Century Theatres, controlled by Nat Taylor. Sam and Harry Firestone of the Firestone-Odeon interests are said to be behind the new company, and the house will be operated as a first run Odeon unit here, opening early next year. Taylor, affiliated with Famous Players Canadian, will operate the house in the meantime.

Killed in Honolulu

DES MOINES, Dec. 10.—First Lieut. John Sherman Green, husband of Mrs. Ida Green, secretary to Stanley J. Mayer, local 20th Century-Fox manager, was among those killed at Hickam Field, Honolulu, on Sunday.

Buxbaum Elected Associates' Hea

Harry Buxbaum, Metropolitan district manager for 20th Century-Fo was elected president of the Motio Picture Associates for 1942 at a mee ing yesterday at the Hotel Lincol Jack Ellis of the local RKO exchang was chosen first vice-president. Bu baum, who had been unanimousl nominated for the post, will succee Joseph Lee.

Other officers are Matthew Ca second vice-president; Moe Fra recording secretary; Charles Pens financial secretary; Saul Traune treasurer; Louis Kutinsky, sergean at-arms; and Seymour R. Schuss and Moe Kurtz, trustees. Inducti of the new officers will take pla about the middle of next month.

At yesterday's meeting, the men bership voted a donation of $100 the Red Cross. A possible investme of $5,000 in defense bonds also w discussed.

RCA Withholding Public Televisio

ST. LOUIS, Dec. 10.—RCA is v untarily withholding public introdu tion of theatre television in order meet national defense needs, Thom F. Joyce, vice-president, told the S Louis Sales Managers Bureau. Joy said arrangements had been ma with Madison Square Garden, Warn Bros., Mike Jacobs, the A.T. & and others for the showing of t Louis-Nova fight in Mastbaum Th atre in Philadelphia but the demo stration was dropped.

RCA's decision to drop theatre tel vision for the duration was exclusive reported by MOTION PICTURE DAI on Dec. 3.

Heads Seattle Union

SEATTLE, Dec. 10.—Charles C. Cric more has been reelected president the local stagehands' union Othe are: Ed Leach, vice-president; F Booth, recording secretary; Albe McKay, sergeant-at-arms; Erne Clark, reelected secretary for the 26 term, and Basil Gray, reelected bus ness agent for the 18th term.

Columbus Veteran Dies

COLUMBUS, O., Dec. 10.—W. Hartman, 74, property man at loc theatres for 50 years, died at St. A thony's Hospital yesterday. His wi and two daughters survive.

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STRAND THEATRE

Dear Santa Claus:
I have tried to be a good exhibitor all year. Now, all I want for Xmas is a print of "You're In The Army Now."

Your friend,
Sam Q. Showman

P.S. If you could also get me "They Died With Their Boots On" for New Years... then "All Through The Night", "The Man Who Came To Dinner" and "Kings Row", I could afford to be good all next year, too!



THERE IS A SANTA CLAUS, SAM DEAR!

IT'S WARNER BROS!

50 MILLION FRENCHMEN WON'T BE WRONGED!





ARIS

EVERY DAY YOU CAN HEAR IT CALLING ON THE FRO









THE WRAPS ARE OFF! TURN YOUR MARQUEE WHITE HOT WITH THIS ONE!

PRINTS are READY NOW *at* UNIVERSAL!

Right from under the heels of the Nazi heels . . . comes this blistering story of fifth horsemen vs. fifth columnists!

***WHY** 50 hostages die for the deeds of one hero!*
***WHY** the man with the gun fears the man with the heart!*
***WHY** reprisal killings only breed more rebellion!*
***WHY** every morning hears a prayer—and every evening the executioner's fusillade!*

ALLING



AGE OF YOUR OWN NEWSPAPER!

A Charles K. Feldman Group Production starring

Elizabeth BERGNER • Randolph SCOTT
with Basil RATHBONE
Gale SONDERGAARD • Edward CIANNELLI
Charles ARNT • Lee J. COBB

Original Screen Play by Benjamin Glazer and Charles S. Kaufman • Original stary callabarator, Jahn S. Toldy • Directed by EDWIN L. MARIN • Produced by BENJAMIN GLAZER

A UNIVERSAL PICTURE

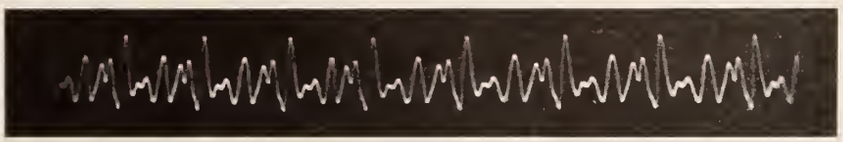




The oboe sounds its "a"

...and a New Century of Music begins

A hundred years ago in the Apollo Rooms on Lower Broadway, an oboe sounded the pitch... the strings, the brasses and the woodwinds tuned...and a Connecticut Yankee raised his baton to signal the start of Beethoven's Fifth Symphony. Before him, at their high music racks, stood the first symphony orchestra in America. Behind him an audience of some 400 sat upright in their pews.



Today, in Carnegie Hall, an oboe again sounds its "a"... and the 62nd successor to Ureli Hill raises his baton before the orchestra of the Philharmonic-Symphony Society of New York.

And behind him...before him...all around him...an *audience of 10,000,000* awaits the opening theme.

10,000,000 people listening to the radio on a Sunday afternoon!...More than have heard the Philharmonic within the walls of a concert hall in the hundred years of its history.

What finer tribute to the world's greatest orchestra on the beginning of its second century? What better evidence of an America musically come of age?

Tbe oscillograph registers tbe wave pattern of an oboe's "a" sounded by the Philbarmonic's Bruno Labate. Instruments in an orchestra traditionally tune to an oboe because its accurate pitcb and penetrating tone are easily caught by the human ear.

100th Anniversary of the
Philharmonic-Symphony Society of New York
Broadcast exclusively for the past 12 years over

THE COLUMBIA BROADCASTING SYSTEM

44 Pictures Now Shooting; 73 Being Cut

HOLLYWOOD, Dec. 10. — Forty-four pictures were before the Cameras this week as nine started and eight finished. Twenty-four are being prepared, and 73 are in the cutting rooms.

With the start of two pictures, M-G-M is the busiest studio, having a total of nine in work.

The tally by studio:

Columbia

Finished: "Martin Eden," "Shut My Big Mouth."

In Work: "After the Alamo," "Trinidad."

Korda (U. A.)

In Work: "To Be or Not to Be."

M-G-M

In Work: "Tortilla Flat" "This Time for Keeps," "Out of the Past," "I'll Take Manila," "Rio Rita," "Mrs. Miniver," "I Married an Angel."

Started: "Then There Were Two," "The Courtship of Andy Hardy."

Monogram

Finished: "Thunder River Feud."

Started: "The Man from Headquarters."

Paramount

Finished: "I Live on Danger."

In Work: "Palm Beach Story," "Take a Letter, Darling," "Holiday Inn," "Mr. and Mrs. Cugat," "My Favorite Blonde," "American Empire," "Out of the Frying Pan," "This Gun for Hire."

RKO

In Work: "Powder Town," "Lum and Abner No. 2," "The Mayor of 44th Street," "The Tuttles of Tahiti," "The Magnificent Ambersons."

Republic

Finished: "The Man from Cheyenne."

In Work: "Pardon My Stripes," "Cowboy Serenade."

Started: "Riders of the Sunset Trail," "X Marks the Spot."

Roach (U. A.)

Started: "Cubana."

20th Century-Fox

Finished: "You Can't Always Tell," "Song of the Islands."

In Work: "Moontide," "Not for Children," "Tales of Manhattan," "Roxie Hart," "To the Shores of Tripoli."

Started: "This Above All," "Rings on Her Fingers."

Universal

Finished: "Tough as They Come."

In Work: "Temporarily Yours."

Warners

In Work: "In This Our Life," "Larceny, Inc.," "Juke Girl," "Arsenic and Old Lace."

Started: "Yankee Doodle Dandy."

St. Louis Theatres Leveling Off Prices

ST. LOUIS, Dec. 10.—All but three of the 90-odd second and third-run houses in the St. Louis area have approved the plan of leveling-off admissions to eliminate mills and pennies.

It was indicated the others will ratify the proposal. Fred Wehrenberg said Ben Paulter, owner of the King-Bee Theatre, located in a low-cost housing area in the city, instituted the policy with favorable results.

Reviews

"Thundering Hoofs"

(RKO)

Hollywood, Dec. 10

RKO introduces a few new twists in the western formula with "Thundering Hoofs," another in the series of outdoor action pictures featuring Tim Holt, Ray Whitley and Lee "Lasses" White. Compactly made and tersely told, the story deals with the efforts of a stage line owner to induce his son to handle the company instead of becoming a rancher. The boy refuses, leaves home and stumbles onto a plot to discredit his father in the acquisition of an additional line.

Lesley Selander, late of Harry Sherman's "Hopalong Cassidy" company, directed the picture, cramming it full of mass and individual action. Whitley sings several of his own songs, including one from which the title is derived. Bert Gilroy handles the production well. Supporting the trio are Luana Walters, Archie Twitchell, Gordon DeMain, Charles Phipps, Monte Montague, Joe Bernard, Frank Fanning, Fred Scott and Frank Ellis.

Running time, 60 minutes. "G."* VANCE KING

"Confessions of Boston Blackie"

(Columbia)

ALTHOUGH certain of the phases of the picture are not altogether convincing, through no fault of the cast, "Confessions of Boston Blackie" is satisfactory entertainment.

The routine story has been given a substantial lift by good performances, particularly by Chester Morris, the character of the title; Richard Lane, the police inspector who has a tough time matching wits with the elusive ex-safe cracker, and George Stone, as Morris' assistant.

A murder is committed but the body is not found. The finger points at "Blackie," who is really innocent. In trying to clear himself, he searches for the body while dodging Lane. He finally proves his point but finds himself, Lane, Harriet Hilliard and others locked in the basement of a building with little chance of escape. The resourceful "Blackie," however, starts a fire, which attracts Stone, who summons a rescue party. Miss Hilliard and Morris provide the romance. Edward Dymtryk directed.

Running time, 66 minutes. "G."* EUGENE ARNEEL

"Land of the Open Range"

(RKO)

THIS is a good western. It is a sufficiently sturdy yarn allowing for a good share of action and excitement, all developed on the screen in the customary manner of better Western films. Also it has brief musical numbers by Ray Whitley which are pleasant and do not detract from the story.

Tim Holt plays the lead, as deputy sheriff, supported by Whitley, Lee "Lasses" White, Janet Waldo, Hobart Cavanaugh and Lee Bonnell. The story stems from the will of the town's late outlaw chieftain which stipulates that his property go only to ex-convicts who are to compete in a homestead race. The executor of the will is bent on obtaining the property near the water, planning a dam and making the ranchers pay for irrigation. Holt upsets their plans. Edward Killy directed.

Running time, 60 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Candidates Selected For Exchange Union

PHILADELPHIA, Dec. 10.—Candidates for the offices of Local B-7, Film Exchange Employes Union here for the coming year have been selected. The election will be held Dec. 12. The nominees include: Harry Bache and Ferd Fortunate, president; Edward Reckafus, vice-president; James McWilliams, secretary; Marie Hause, Marie Tracey, treasurer, and Harry O. Cohan, James Flynn, business agent.

Named FPC Director

TORONTO, Dec. 10. — Howard P. Robinson of St. John, N.B., vice-president of the New Brunswick Telephone Co., and executive of other companies has been elected a director of Famous Players Canadian Corp.

Defeat Midnight Ban

TORONTO, Dec. 10.—A proposed by-law to abolish Sunday or holiday midnight shows at the theatres in Oshawa, Ont., was voted down six to three by the City Council, the move being opposed by aldermen who declared that the late performances formed the only opportunity for war workers and soldiers on weekend leave to enjoy recreation.

Stars at Chicago Benefit

CHICAGO, Dec. 10.—Stan Laurel and Oliver Hardy, Allan Jones, Irene Hervey, Humphrey Bogart, Mayo Methot, Joe E. Brown and Jimmy Durante have accepted invitations to appear in person at Chicago's Christmas benefit "Night of Stars" program in the Chicago Stadium on Dec. 17, according to Barnet Hodes, executive secretary of the affair.

'Skylark' Hits Good $7,400 Seattle Gross

SEATTLE, Dec. 10.—"Skylark" at th Paramount drew $7,400 and a un road show on the Palomar stage wit "New York Town" on the scre drew $6,100. The weather was f and rainy.

Estimated receipts for the wee ending Dec. 5:

"Birth of the Blues" (Para.)
"The Little Foxes" (RKO)
BLUE MOUSE—(950) (30c-40c-58c-70c) days, 4th week. Gross: $3,100. (Averag $4,000)
"Shadow of the Thin Man" (M-G-M)
"The Parson of Panamint" (Para.)
FIFTH AVENUE—(2,500) (30c-40c-58 70c) 7 days, 2nd week. Gross: $7,3((Average, $7,000)
"Sundown" (U. A.)
"Niagara Falls" (U. A.)
LIBERTY—(1,800) (30c-40c-58c-70c) 7 day 2nd week. Gross: $6,900. (Average, $5,0(
"International Squadron" (W. B.)
"The Smiling Ghost" (W. B.)
MUSIC BOX—(950) (30c-40c-58c-70c) days, 3rd week. Moved from Orpheu Gross: $3,400. (Average, $4,000)
"It Started With Eve" (Univ.)
"Swing It, Soldier" (Univ.)
ORPHEUM—(2,450) (30c-40c-58c) 7 day 2nd week. Gross: $5,800. (Average, $6,0(
"New York Town" (Para.)
PALOMAR — (1,500) (20c-30c-40c-50c) days. Stage: "Glamour Girls of 1942 Gross: $6,100. (Average, $5,000)
"Skylark" (Para.)
"Buy Me That Town" (Para.)
PARAMOUNT — (3,050) (30c-40c-58c) days. Gross: $7,400. (Average, $6,000)

'Thin Man' Scores $3,600, New Have

NEW HAVEN, Dec. 10.—"Shadow o the Thin Man" and "Two Latin from Manhattan" at the College, dre $3,600, best on a comparative basis a week of generally slow business.

Estimated receipts for the wee ending Dec. 4:

"Shadow of the Thin Man" (M-G-M)
"Two Latins from Manhattan" (Col.)
COLLEGE—(1,627) (40c-50c) 7 days, 2 week. Gross: $3,600. (Average, $2,700)
"The Men in Her Life" (Col.)
"Texas" (Col.)
LOEW-POLI—(3,005) (40c-50c) 7 day Gross: $8,000. (Average, $8,000)
"Birth of the Blues" (Para.)
"Henry Aldrich for President" (Para.)
PARAMOUNT—(2,373) (40c-50c) 7 day 2nd week. Gross: $4,500. (Average, $4,50
"They Died With Their Boots On" (W. B
ROGER SHERMAN—(2,076) (40c-50c) days, 2nd week. Gross: $3,800. (Averag $5,000)

'Thin Man' Omaha Leader With $7,20

OMAHA, Dec. 10.—"Shadows of th Thin Man" at the Omaha drew $7,20 The weather was blustery and cold.

Estimated receipts for week endi Dec. 3-4:

"Suspicion" (RKO)
"Unexpected Uncle" (RKO)
BRANDEIS—(2,200) (30c-44c) 7 day Gross: $4,900. (Average, $4,000)
"Shadow of the Thin Man" (M-G-M)
"We Go Fast" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gros $7,200. (Average, $6,000)
"Skylark" (Para.)
"Niagara Falls" (U.A.)
ORPHEUM — (3,000) (30c-44c) 7 day Gross: $7,400. (Average, $7,000)
"Birth of the Blues" (Para.)
"Great Guns" (20th-Fox)
PARAMOUNT—(3,000) (30c-44c) 7 day 2nd week. Gross: $4,100. (Average, $4,0(

Sues Ascap on Royalty

Vinyou, Inc., assignee of Vince Youmans, has filed suit in N. Y. Su preme Court for $600,000 damag against Ascap and Harms, Inc., f alleged royalties on songs.

U.S. Requests Writ in Final Crescent Brief

NASHVILLE, Dec. 10.—The Government's final brief in the Crescent anti-trust case, filed here today, charged that neither United Artists, Universal Film Exchanges, "nor any other private group operating under the system of free enterprise has any lawful right to decree that the local independent operator shall be absorbed by the circuit or chain simply because the latter form of enterprise offers them a greater opportunity to stabilize and control the film business to their advantage."

Aim at Competition

Continuing, the brief said in part: "If they have combined to suppress competition, the defendants have clearly violated the act and are subject to such an injunction as the court believes will make competition possible and thus give effect to the act insofar as this particular struggle for survival is concerned.

"The fact that the form of injunction proposed by the Government may not be completely effective for such purposes, due to the presence of other factors not within the reach of a judicial decree, may be a reason for rejecting that relief in favor of granting other and more effective relief but not for declining to grant relief.

"The most it (an injunction) can do is to provide a better opportunity for competition than heretofore existed.

No Choice, Says U. S.

"We respectfully submit that until and unless the industry advocates and secures for itself legislative recognition that it is a business which may render better service without competition than with it, the Government and the courts have no other choice in enforcing the Sherman Act than to compel it to operate as it claims to operate, that is, upon a competitive basis."

Among the brief's signers were Assistant Attorney General Thurman Arnold and Robert L. Wright, in charge of the Crescent prosecution.

Fox Wisconsin Sets Series of Lectures

WILWAUKEE, Dec. 10.—Early in February Fox Wisconsin Amusement Corp. will inaugurate a series of lectures, one a week for five weeks, at 20 houses in this territory. The lectures will conclude with public forums and it is planned to sell tickets for the entire block lectures. No films will be shown on the nights of the talks.

Three Firms Formed

ALBANY, Dec. 10.—Three new concerns have been formed here. They are: Adro Productions, Inc., by Arthur Leff, M.D. Bober and Sally Rubin, New York: Kafra Theatre Corp., by E. M. Phair, Sylvia Denmark and Gladys Barnett, New York, and Hall-Dell Productions, Inc., by W. E. Jordan, Barclay Shaw and Sara Gilbert, New York.

Industry Adopts Program As Basis for Trade Unity

(*Continued from page* 1)

which also benefited delegates from the interest in its purpose shown by such leaders as Sidney R. Kent, William F. Rodgers, Nicholas M. Schenck, Barney Balaban, H. A. Cole, Tom Connors, Abram Myers, Neil Agnew, Abe Montague, Jack Cohn, George J. Schaefer, Joseph Bernhard, Ed Kuykendall, Max A. Cohen, Robert Poole and others.

Internal bickerings and outside agitations now, leaders believe, can be met by a united industry front.

A report of the Ways and Means Committee was submitted to the meeting today by T. J. Connors, chairman. Harry Brandt moved for its acceptance and Fred Wehrenberg seconded. The report was adopted unanimously.

It provided for the appointment of a Motion Picture Industry Conference Committee of 26 members, as forecast by MOTION PICTURE DAILY yesterday, and specified five main objectives for a unity program. These dealt with taxation, industry defense against outside attack, institutional advertising and good will activities, obtaining priority ratings and conciliation of internal industry complaints.

Name Subcommittees

Subcommittees were appointed to work on each of the five points. They follow:

Taxation: Cole, Kuykendall, Brandt, Joseph Vogel, Spyros Skouras, Schaefer, Harry Kalmine.

Industry protection: Sidney R. Kent, Schaefer, Balaban, Poole, Kuykendall, Cole, Brandt.

Institutional advertising and goodwill activities: Heads of advertising and publicity departments of all distributors and Leo Brecher, New York; Lionel Wasson, Des Moines; Fred Wehrenberg, St. Louis; Lewen Pizor, Philadelphia; Leonard Goldenson, New York; Pete Wood, Columbus; Don Rossiter, Indianapolis, and Moe Rosenberg, Pittsburgh.

Industry priorities: Joseph Bernhard and members of his existing priorities committee, and Sidney Samuelson, Carter Barron, Washington, D. C., and William Crockett, Virginia.

The main committee was designated to handle matters of internal industry complaint arising under Point 5.

Organizations which were represented at the meeting here are scheduled to meet separately to ratify the action taken and report to Kirsch. When approvals have been received the MPICC and its subcommittees will begin to function officially.

Text of Report

Following is the complete report of the Ways and Means Committee:

"In the interest of industry unity, this committee conveys to this assemblage a message of unique importance. It offers a coordination of thought and purpose in that in all of its discussions and debate it found a complete understanding in every direction. It is a pleasure to report to you that complete harmony prevailed and we earnestly look forward to the uniting of all interests represented here for unity in the motion picture industry.

"With our unanimous approval we present to you the following program outlining a proposal of activities, including the forming of the Motion Picture Industry Conference Committee.

"(1) Coordination of policy and action in reference to taxation.

"(2) Coordination of policy and action in protecting the good name and integrity of the industry as a whole.

"(3) Formulation of plans for institutional advertising and other goodwill activities.

"(4) Protecting the necessary supplies of the industry by securing proper priority ratings.

"(5) Formulation of a program providing, if possible, for the adjustment, or modification of the policies or practices of one branch or member thereof which are opposed by any other branch or a substantial portion thereof.

"It is the recommendation of this committee that the forming of a Motion Picture Industry Conference Committee shall be constituted as follows:

"Five members of Allied States Association.

"Five members of the M. P. T. O. A.

"Five members of independent exhibitor groups.

"Distributor companies—Columbia, M-G-M, Paramount, Producers Releasing Corp., RKO, Republic, Monogram, Twentieth Century-Fox, Warner Bros., United Artists and Universal.

"Further, it is the recommendation of this committee that inasmuch as the MPICC is a designated body drawn from the entire industry, it may proceed to set up such rules of conduct as it may deem proper, and further, it may appoint such subcommittees as it feels may be necessary to carry out to fulfillment this industry's unity program. In the forming of the MPICC your committee took into consideration the all-embracing inter-industry program and recommends that voting power therein be excluded. Unity must be the aim and purpose of the MPICC for the benefit of all."

Add PRC Salesmen

Additions to the sales staff of Producers Releasing Corp. have been made by Leon Fromkess, executive vice-president. They include: George Caldaus, Los Angeles; John Morphet and Jack Weil, St. Louis, and C. Carpenter, San Francisco.

Amusement Machine Output Cut by OPM

WASHINGTON, Dec. 10.—Sharp cuts in the production of amusement machines of all kinds were ordered today by the Office of Production Management.

For the current month, the output of automatic phonographs and other machines, whether or not coin-operated, will be reduced to 25 per cent below average production in the 12 months ended with last June.

The curtailment will be increased to 50 per cent on Jan. 1 and the following month to 75 per cent, and will be continued at that level until further notice.



MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 14	Secrets of the Lone Wolf (D) *Warren William* (1941-42)	The Chocolate Soldier (M) 208 *Eddy-Stevens* Unholy Partners (D) 209 *Edw. G. Robinson* Shadow of the Thin Man (D) 210 *Powell-Loy* Two-Faced Woman (C) 211 *Garbo-Douglas*			Miracle Kid 213 (D) *Vicki Lester* (1941-42)	Sierra Sue (O) 143 *Gene Autry* (1941-42)	Suspicion (D) 208 *Cary Grant Joan Fontaine* (1941-42)	I Wake Up Screaming (D) 216 *Grable-Landis* (1941-42)	Miss Polly (C) (Streamliner) *Zasu Pitts* (1941-42)		Blues in the Night (D) 110 *Priscilla Lane Betty Field* (1941-42)
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)		Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)		I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)			Mexican Spitfire's Baby (C) *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Fiesta (M) *Armida* (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* (1941-42)	
Dec. 5	Sing for Your Supper (C) *Buddy Rogers* (1941-42)	H. M. Pulham, Esq. (D) 212 *Hedy Lamarr Young-Hussey* Kathleen (D) 215 *Shirley Temple Herb. Marshall*	Borrowed Hero (D) Lone Star Law Men (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* (1941-42)	Tuxedo Junction (D) *The Weavers Frankie Darro* (1941-42)		Swamp Water (D) 218 *Huston-Brennan* (1941-42)		Sealed Lips (D) *William Gargan* (1941-42)	The Body Disappears (C) 111 *Lynn-Wyman* (1941-42)
Dec. 12	Honolulu Lu (D) *Lupe Velez* (1941-42)		Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 (1941-42)	Red River Valley (O) 152 *Roy Rogers* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	The Wolf Man (D) *Claude Rains* (1941-42)	Steel Against the Sky (D) 112 *Alexis Smith* (1941-42)
Dec. 19	Harvard, Here I Come (C) Riders of the Badlands (O) (1941-42)	Design for Scandal (C) 213 *Rosalind Russell Walt. Pidgeon* Tarzan's Secret Treasure (D) 214 *J. Weissmuller M. O'Sullivan*	Boy of Mine (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	West of Cimarron (O) 163 3 *Mesquiteers* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornel Wilde* (1941-42)		Melody Lane (C) Road Agent (D) (1941-42)	
Dec. 25	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)		Forbidden Trails (O) Here Come the Marines (D) (1941-42)	Louisiana Purchase (M) *Hope-Zorina* (1941-42)	Blonde Comet (D) 116 *Robert Kent* (1940-41)	Mr. District Attorney in the Carter Case (D) (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)	How Green Was My Valley (D) 224 (1941-42)	Corsican Brothers (D) Dudes are Pretty People (C) (Streamliner) (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	You're in the Army Now (C) 113 *Jimmy Durante* (1941-42)
Jan. 2			Freckles Comes Home (D) *Johnny Downs* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd* (1941-42)	Arizona Terrors (O) 174 *Don Barry* (1941-42)		Remember the Day (D) 226 *Colbert-Payne* (1941-42)		Don't Get Personal (C) *Hugh Herbert* (1941-42)	They Died With Their Boots On (D) 114 *Errol Flynn* (1941-42)
Jan. 9			Thunder River Feud (O) *Range Busters* (1941-42)		Lone Rider and Bandit (O) 263 Girls' Town (D) 202 (1941-42)			Blue, White and Perfect (D) 227 *Lloyd Nolan* (1941-42)		Jail House Blues (C) *Robert Paige* (1941-42)	All Through the Night (D) 116 *Bogart-Veidt* (1941-42)
Jan. 16					Duke of the Navy (D) 206 *Ralph Byrd* (1941-42)	Man From Cheyenne (O) *Roy Rogers* (1941-42)		Gentleman at Heart (C) 228 *Romero-Landis* (1941-42)	Twin Beds (C) *Joan Bennett George Brent* (1941-42)	Paris Calling (D) *Randolph Scott* (1941-42)	
Jan. 23					Today I Hang (D) 214 *Mona Barrie* (1941-42)	Pardon My Stripes (D) *William Henry* (1941-42)		Right to the Heart (D) 229 *Brenda Joyce* (1941-42)		North to the Klondike (D) *Brod. Crawford* (1941-42)	
Jan. 30						Cowboy Serenade (O) *Gene Autry* (1941-42)		Son of Fury (D) 230 *Tyrone Power Gene Tierney* (1941-42)		Treat 'Em Rough (C) *Eddie Albert* (1941-42)	

'Flying' Gets Big $33,500, Los Angeles

LOS ANGELES, Dec. 10.—"Keep 'Em Flying" coupled with "South of Tahiti" grossed a total of $33,500 at the Pantages and the RKO Hillstreet theatres to become the town's leading business getter.

Estimated receipts for the week ending Dec. 3:

"Swamp Water" (20th-Fox)
"Great Guns" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $11,000. (Average, $12,000)
"All That Money Can Buy" (RKO)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days, 4th week. Gross: $6,000.
"Keep 'Em Flying" (Univ.)
"South of Tahiti" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $17,500. (Average: $6,500)
"Swamp Water" (20th-Fox)
"Great Guns" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $14,000)
"Keep 'Em Flying" (Univ.)
"South of Tahiti' (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $7,000)
"Skylark" (Para.)
"Glamour Boy" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. "Skylark," 2nd week. Stage: Skinnay Ennis. Gross: $15,000. (Average, $18,000)
"The Maltese Falcon" (W.B.)
"Target For Tonight" (W.B.)
WARNER BROTHERS (HOLLYWOOD) (3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $13,800. (Average, $14,000)
"The Maltese Falcon" (W.B.)
"Target For Tonight" (W.B.)
WARNER BROTHERS (DOWNTOWN) (3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $14,300. (Average, $12,000)

'Partners,' Show High in Milwaukee

MINNEAPOLIS, Dec. 10. — "Unholy Partners," coupled with a stage show, grossed $14,000 at the Orpheum, "Shadow of the Thin Man" getting $9,500 at the State.

Estimated receipts for the week ending Dec. 5:

"Parachute Battalion" (RKO)
GOPHER—(998) (28c) 7 days. Gross: $2,800. (Average, $2,500)
"Major Barbara" (U.A.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $1,800. (Average, $1,600)
"Skylark" (Para.)
CENTURY—(1,600) (28c-39c-44c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)
"Shadow of the Thin Man" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $9,500.
"Unholy Partners" (M-G-M)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. On stage, Lawrence Welk and orchestra, Dean Murphy, the Seilers. Gross: $14,000. (Average, $5,500)
"This Way Please" (RKO) 4 days
"Ruggles of Red Gap" (Para.) 4 days
"Lady Scarface" (RKO) 3 days
"Stork Pays Off" (Col.) 3 days
ASTOR—(900) (17c-28c) 7 days. Gross: $1,700. (Average, $1,800)

Hamilton Sets Dividend

TORONTO, Dec. 10.—Hamilton United Theatres, Ltd., now a subsidiary of Odeon Theatres of Canada, Ltd., has declared its first dividend under the new auspices, a payment of 1¼ per cent on the outstanding preferred shares for the quarter ending Dec. 31.

Take Fort Lee House

Peter and Lillian Kriev are the new operators of the Fort Lee, Fort Lee, N. J.

200 British Houses Have Reopened in Year: Rose

(Continued from page 1)

untarily because of population evacuations and the establishment of restricted areas.

Theatre business continues "exceptionally good" in Britain, Rose reported, but added that it is now experiencing a seasonal decline due to shorter daylight periods and earlier blackouts.

Action Expected Soon

The Paramount official said that in the very near future he believes the British Treasury may take action to eliminate all restrictions on remittances of the film companies' revenue. While admitting that he has heard of no official consideration given the matter in London, Rose said British officials concede that films are essential to national morale and believes more favorable currency treatment will be accorded the distributors for that reason.

Rose pointed out that with the United States now in war this nation has an equal need for currency and that the British restrictions now in force constitute a measure which this country would not employ against England even as a war move.

In addition to a shortage of technicians, players and materials, he said, studio space is severely limited. Reservations must be made for stages far in advance and there is no guarantee that they will be available even then, Rose said.

'Hatter's' Over Budget

Paramount recently completed "Hatter's Castle" in England in 13 weeks instead of a scheduled seven, and at 60 per cent over budget, due to the difficult conditions. . The company plans to make "Quiet Weekend" next but has been advised that no studio space will be available before next April.

Rose plans to be in this country about six weeks and will spend most of the time on the Coast.

'Blues' at $9,800 Indianapolis High

INDIANAPOLIS, Dec. 10.—"Birth of the Blues" and "Among the Living" took $9,800 at the Indiana in a moderately good week.

Estimated receipts for the week ending Dec. 4:

"One Foot in Heaven" (W. B.)
"Nine Lives Are Not Enough" (W. B.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $7,200. (Average, $6,500)
"Birth of the Blues" (Para.)
"Among the Living" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $9,800. (Average, $7,000)
"Two-Faced Woman" (M-G-M)
"Down in San Diego" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $8,700. (Average, $8,000)
"Keep 'Em Flying" (Univ.)
"Mob Town" (Univ.)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $5,000. (Average, $4,500)

Mono. Sells 134 Houses

HOLLYWOOD, Dec. 10.—Monogram has announced the addition of 134 theatres to the total of its accounts, with deals closed for new season product with the following circuits: Evergreen, Lichtman Associated Theatres, Crescent Amusement and Rockwood Amusement Co.

N.Y. Showmen to Get Air Raid Instruction

(Continued from page 1)

of circuit home offices and the Commissioner's office in this regard.

Meanwhile, Governor Lehman yesterday ordered immediate test blackouts in all cities in New York State. This, however, does not apply to New York City, which, it is said, is under separate jurisdiction, but plans for a blackout here are being rushed. All outside illumination at places without night watchmen has been banned.

In his order, Governor Lehman informed mayors of all municipalities that advance notice of the blackouts should be given to the people through the radio and press.

War News Continues To Reduce Grosses

Additional reports from the field of the effect of constant radio war bulletins on theatre grosses indicate heavy losses. In the Minneapolis area it was reported grosses were off in some cases as much as 75 per cent, with the average drop estimated at 50 to 60 per cent, although bad weather was partly responsible.

Grosses in Cleveland were reported to have fallen off heavily at almost all theatres. Grosses Monday and Tuesday were more seriously affected than on Sunday.

Los Angeles reported grosses off up and down the Coast. One San Francisco neighborhood operator was reported saying that he had two patrons during Monday's blackout.

'Heaven' at $9,800 Kansas City Gross

KANSAS CITY, Dec. 10.—"One Foot in Heaven" and "The Gay Falcon" drew $9,800 at the Orpheum. "Swamp Water" took $4,500 at the Esquire and $6,500 at the Uptown.

Estimated receipts for the week ending Dec. 3-4:

"Swamp Water" (20th-Fox)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $4,500. (Average, $2,200)
"Two-Faced Woman" (M-G-M)
"Down in San Diego" (M-G-M)
MIDLAND—(3,600) (30c-44c) 7 days. Gross: $9,000. (Average, $8,500)
"Birth of the Blues" (Para.)
NEWMAN—(1,900) (30c-44c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"One Foot in Heaven" (W.B.)
"The Gay Falcon" (RKO)
ORPHEUM—(1,900) (30c-44c) 7 days. Gross: $9,800. (Average, $5,000)
"Moonlight in Hawaii" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Hawaiian Follies. Gross: $7,000. (Average, $6,000)
"Swamp Water" (20th-Fox)
UPTOWN—(2,000) (30c-44c) 7 days. Gross: $6,500. (Average, $4,000)
"Her First Beau" (Col.)
MAINSTREET—(3,500) (28c-44c) 7 days. Stage: "Manhattan Merry-Go-Round." Gross: $4,500.

Reverts to Single Bills

CINCINNATI, Dec. 10.—The 1,400-seat RKO Lyric, after three unsuccessful weeks of double features at 28 and 40 cents, has reverted to its former move-over single bill policy at its previous scale of 28, 33 and 42 cents.

Raftery Is Active President of U.A., Selznick Declares

(Continued from page 1)

definitely set for that cast at this time. Dorothy McGuire will play "Claudia" no matter when that film is produced, he said.

Selznick stated Mary Pickford plans one picture a year and that Charles Chaplin has promised to start a new picture within the next few months.

Selznick was accompanied by his wife, Mr. and Mrs. Mervyn LeRoy and Myron Selznick. He will attend a meeting of United Artists owners in Hollywood on Friday.

Sears Says 'Gesture' May Be Roadshowed

HOLLYWOOD, Dec. 10. — Gradwell Sears, U.A. general sales manager, said today following a screening of "Shanghai Gesture" that the film might be roadshowed in January in about 25 key cities before general release.

Alexander Korda will give a luncheon for Sears tomorrow to which all company owner-members and executives have been invited.

'Corsican' Opens In Capital Dec. 18

"The Corsican Brothers," Edward Small production for United Artists release, starring Douglas Fairbanks, Jr., will have its premiere at Loew's Palace in Washington on Dec. 18, U. A. announced yesterday.

Leading capital figures are expected to attend the opening, and plans call for a dinner and reception. The picture is set for a two-week run at the Palace. The film is slated to open in Loew houses in at least nine cities on Dec. 24.

Stearn Named U. A. Western Sales Head

(Continued from page 1)

manager of the district comprising Pittsburgh, Cleveland, Cincinnati and Indianapolis.

Leserman stated that Stearn's appointment follows a long-established United Artists policy of making promotions, wherever possible, from within the ranks.

Named Phila. Booker

PHILADELPHIA, Dec. 10.—Harry E. Weiner, Columbia branch manager, announces the appointment of Joseph Flood as new booker, now giving the local exchange four. Flood had been associated with various local independent exchanges.

To Entertain Shut-ins

DES MOINES, Dec. 10.—The seventh annual theatre party for shut-ins given each year before Christmas by theatre men of the city is to be held at Tri-States' 1,600-seat Paramount on Saturday. Lou Levy, Universal manager, is general chairman.

Mono. Peru Deal Set

Norton V. Ritchey, vice-president in charge of Monogram foreign operations, has advised the home office from Peru that he has closed a deal for Amauta Films of Lima to distribute Monogram product in Peru.

Defense Board Takes Over Radio Control

War Power Is Exercised By Roosevelt

(Continued from page 1)

emy raiders; enables the board to regulate the operations of stations more closely from a defense standpoint, if necessary, and permits the board to turn stations over to the Army or Navy if such action is required.

The board's operations under the order will be conducted through the Federal Communications Commission. James L. Fly, FCC chairman, is also head of the DCB.

No Immediate Plans

Fly said after the issuance of the President's order that there are no immediate plans to take over private broadcasting facilities.

Neville Miller, president of the National Association of Broadcasters, yesterday urged all stations not to create any unnecessary alarm.

Meanwhile, following four hectic days of 24-hour emergency broadcasting, stations all over the country moved to prepare for actual war time conditions. Commercial program schedules were still in the discard, for the most part, and news was crowding almost everything else off the air.

In New York, preparations were made to organize definite schedules for the broadcasting of alert, air raid and all clear signals. Texts were written for announcers in the event the signals are to be broadcast. Calmness and speed will be stressed.

On the West Coast, arrangements have been made for the highest powered station on the lowest wave length to act as beacon for air raid signals. All other stations in the area are to monitor this beacon station and leave the air when the beacon station does. This system was followed in the early days of radio when all stations went off the air during an SOS.

A false air raid alarm in Los Angeles caused radio stations to black out for 40 minutes at 12:20 P.M. yesterday.

Notices on WNYC

WNYC will be the first to receive instructions in this area when signals are to be sounded and will be the originating station for special notices to the civilian population. These will include police department requests, information to parents of school children, addresses by city officials and Mayor LaGuardia in his capacity as civilian defense director and the like.

WNEW, WMCA and WHN have installed direct lines to WNYC so that an announcement from the latter station can be carried simultaneously over the other stations. NBC previously had a line to WNYC which was used for feeding network special events to the municipal station on occasion.

Extra guards were placed at transmitters yesterday and CBS decided to restrict studio audiences to those originating outside its main building here. NBC discontinued taking visitors on the studio tour to the engineering floor, although the rest of the tour was continued. In Cincinnati, Crosley Corp., operators of WLW and WLWO, asked civil aeronautics officials to declare Mason, O., a restricted area for air traffic. Mason is the site of WLW's 500,000 watt experimental transmitter, and WLWO's 75,000 watt international short wave transmitter.

Ticker on Television

NBC television placed a camera directly in front of an AP news ticker and carried it over the air as it was received. Increased emphasis was placed on civilian defense training classes.

As for network operations, NBC declared that it was operating under "self-imposed censorship" and that only officials alerts and air signals would be broadcast. In a message read over the combined Red and Blue, it was urged that listeners refrain from telephoning the networks or official agencies and use the radio for verification of reports. At the same time, John F. Royal, NBC vice-president in charge of international relations, declared that short wave operations would continue free of propaganda. Mutual announced that arrangements had been made for its Manila correspondent, Royal Arch Gunnison, to broadcast twice daily, with the Navy censoring his scripts.

Operation on a 24-hour basis will continue as long as news reports warrant continuous broadcasting, it was said, with CBS stating definitely that it would continue day and night at least until the end of the week. CBS set up a special news department in San Francisco.

Robert A. Catherwood, WWRL general manager, sent wires yesterday to defense agencies urging that low-powered stations be used to broadcast air raid alarms after midnight. He said the stations would remain off the air but would go on immediately if needed. Thus, a civilian could sleep undisturbed but, if his set were turned on, would hear an alarm immediately.

Off the Antenna

FOR the past three weeks, it was learned yesterday, the Westinghouse 50,000-watt short-wave station in Boston, WBOS, has been carrying the entire program of NBC short wave, with the exception of two hours. Since NBC has two 50,000-watt transmitters of its own, WRCA and WNBI, there are now three top power stations beaming out the same programs simultaneously.

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Purely Personal: *Stan Lomax, WOR sportscaster, yesterday was reelected to the board of directors of the Basketball Writers Association. Lomax is the only radio member of the organization, as he is of the Football Writers Association and Baseball Writers Assocation. . . . Sophie Tucker will be guest of Adrienne Ames on WHN at 7 tonight. Desi Arnez and Lucille Ball will be Miss Ames' guests Saturday.*

• • •

The debut of the Barrymore name on television will take place Monday when Ethel Barrymore will read the Bill of Rights over the CBS station.

• • •

George J. Vogel, general manager of KZRM-KZRF, the CBS outlet in Manila, now in town for a visit, reveals that listening posts had been receiving misleading weather reports from the Japanese radio since last July. The nature of the reports was discovered in August.

The network, up to a late hour yesterday, was still checking to determine the whereabouts of Cecil Brown, Manila correspondent, who was reported to have been on *H. M. S. Prince of Wales* when sunk.

• • •

Program News: *R. J. Reynolds Tobacco Co. has renewed the Xavier Cugat programs over NBC short-wave station, WRCA, and the Westinghouse short wave outlet, WBOS, Boston. The renewal is for 13 weeks, effective Jan. 15. . . . J. B. Williams Co. has renewed "True or False" for an additional 13 weeks over 63 NBC-Blue stations, effective Jan. 15.*

• • •

More About Correspondents: Martin Agronsky, NBC Ankara correspondent, has been transferred to Singapore. . . . Howard K. Smith, until this week CBS Berlin correspondent, is now in Berne, Switzerland, and will broadcast from there. . . . William L. Shirer, another former CBS correspondent in Berlin and now a commentator here, yesterday became the father of a daughter.

RCA Votes Dividends

RCA has declared dividends of 87½ cents on first preferred, $1.25 on "B" preferred and 20 cents on common. Preferred dividends are payable Jan. 1 to holders of record on Dec. 18. The common dividend is payable Jan. 28, to holders on Dec. 19.

Heads Mexico Producers

MEXICO CITY, Dec. 10.—Fernando de Fuentes has been elected president of the Association of Mexican Producers. Directors are: Raphael Sevilla, Maricio de la Serna, Santiago Reachi, F. Carrideo and Salvador Elizondo.

Broadcasters Boost Defense Bonds Sale

Washington, Dec. 10.—Broadcasters have thrown themselves whole-heartedly into the advertising of defense bonds since the outbreak of the war, it was disclosed today by Treasury Department officials.

Vincent Callahan, chief of the Radio Section of the Defense Savings Division, revealed that hundreds of telegrams and letters have been received from broadcasters this week, pledging their fullest cooperation in financing the war. Many made suggestions for promotion which are now being studied with a view to the adoption of any found feasible.

FDR Air Audience Rated All Time High

(Continued from page 1)

all persons reached by telephone at home for an interview yesterday reported having heard the address.

Hooper, which conducted its survey while the speech was still on the air, gave the speech a rating of 79 per cent, an all-time high which topped the previous record of 70 per cent set by the President's unlimited emergency speech last May. The Hooper survey declared that 92.4 per cent of all persons reached replied that they were listening. The difference between the 79 rating and the 92.4 percentage figure is explained by the fact that some persons did not answer the phone and were therefore catalogued as not listening.

Philco Television Executives Shifted

PHILADELPHIA, Dec. 10.—Reorganization of WPTZ, Philco television station here, places David Grimes, chief engineer, as general manager in charge of both the engineering and program departments. C. J. Bingley, who had been a key man in the television engineering department, is the new station manager, acting as coordinator between the engineering and program department. B. R. Herr, Philco executive who serves in various capacities as "trouble shooter," will be the program manager temporarily until the position is filled.

Increase in Power Authorized by FCC

WASHINGTON, Dec. 10.—Station WQAM, Miami, has been authorized by the FCC to increase its day power from 1,000 to 5,000 watts.

The commission ordered hearings on the competing applications of Broadcasters, Inc., San Jose, Cal.; the San Jose Broadcasting Co., San Jose, and Luther E. Gibson, Vallejo, Cal., for new 1,490-kilocycle, 250-watt stations, and General Broadcasting, Inc., Miami, for a new 1,140-kilocycle, 5,000 watt station.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 116 NEW YORK, U. S. A., FRIDAY, DECEMBER 12, 1941 TEN CENTS

Study Radio Procedure in Raid Alarms

Military Officials Seek To Prevent Panic

Army and Navy officials here are working on plans to prevent panic or hysteria in the event of air-raid alarms over radio stations, it was revealed yesterday by Admiral Adolphus Andrews, naval commandant of the district.

Admiral Andrews will confer with Lt. General Hugh Drum, head of the Army second corps area, and all stations will be instructed how to proceed. There has been considerable criticism of the manner in which the test alert on Tuesday was handled, it was pointed out, and efforts will be made to prevent repetitions.

Meanwhile, Joseph Lang, WHOM general manager and head of a group of foreign language stations in the metropolitan area, made arrangements

(*Continued on page 7*)

Studio Union Talks May Return to N.Y.

HOLLYWOOD, Dec. 11.—Negotiations of new individual agreements with eight of the 10 IATSE studio locals may be returned to New York if it is found that procedure would hasten agreements, Richard Walsh, IA president, stated here today.

Walsh reiterated that the IA studio locals will continue to exercise complete autonomy and that the International itself will not reenter the studio basic agreement.

While lending the International's

(*Continued on page 2*)

Three Theatres in Yorkville Are Shut

Yesterday's declaration of war against the United States by Germany and Italy brought swift repercussion here in the almost immediate closing of three film houses in Yorkville, the German section of New York. The three houses, the Casino, the Garden and the 96th Street Theatre, shut their doors as tenseness swept through Yorkville.

It is understood the theatres may attempt to reopen with American films. Their business in recent weeks has been off because of the lack of

(*Continued on page 4*)

Lisbon Routes Are Closed By New War Declarations

Declarations of war by Germany and Italy against the United States has shut off the mid-Atlantic sea and air routes to and from Lisbon, which have been used by industry executives between here and London, and for many film shipments.

The New York-Lisbon passage was the only European run permitted under this country's neutrality law. Foreign department officials believe that air and sea passage to and from Britain will be reestablished promptly over the North Atlantic route. Accommodations will be available, they believe, for both passengers and film shipments. Spanish and Portuguese vessels may continue the New York to Lisbon run for the time being.

The American Export Line, only United States line operating between

(*Continued on page 6*)

Loew to Ask Minn. Escape Next Week

Loew's will make application to Federal Judge Henry W. Goddard early next week for an exemption from the sales provisions of the consent decree to permit it to resume selling in Minnesota under the state anti-block-of-five law, it was learned yesterday.

In doing so, the company will follow the same procedure as did the other four consenting companies when confronted with the Minnesota law. The Loew's application will be filed as soon as the necessary legal papers

(*Continued on page 6*)

Weigh Closing of 40 Frisco Houses

San Francisco, Dec. 11.—The possibility of closing the 40 neighborhood houses in the Golden State and San Francisco circuits here is being discussed by officials, because of the depletion of attendance due to nightly blackouts.

Last night's business was much better but still 50 per cent off normal. The circuits have decided to remain open through the weekend to determine if it would be worth while to stay open.

U.S. Making Last Effort on Little 3 Trial

What is believed by industry attorneys to be a last attempt by the Department of Justice to obtain a trial of the Government anti-trust suit against United Artists, Universal and Columbia prior to the decree escape clause deadline of June 1, 1942, was launched by the department here yesterday.

The Government gave notice that it would seek an order to restore the

(*Continued on page 4*)

Coast Studios On Day Shifts For Blackouts

Ordered on 8 to 5 Work Schedule Dec. 15

HOLLYWOOD, Dec. 11.—All Hollywood studios tonight were ordered effective Dec. 15 to go on an 8 A.M. to 5 P.M. daylight shift in order to give workers time to return to their homes for blackouts. This was decreed at an emergency session of the Association of Motion Picture Producers as part of a program designed for protection of employes and studio properties.

All studio equipment and facilities were placed at the disposal of the War Department in conferences with Lieut. Col. Richard T. Schlosberg, of the Army Signal Corps, who returns to Washington tomorrow.

Studio managers met earlier today to discuss reorganization of studio

(*Continued on page 4*)

War Brings Slash In B'way Grosses

The war has had a disastrous effect on theatre business along Broadway. After bringing in fairly substantial grosses over the weekend, all films played to the poorest business in months, Monday through yesterday.

At the Radio City Music Hall, "Suspicion," with the stage show, which had an estimated $50,000 weekend, finished its third week with an estimated

(*Continued on page 6*)

Variety Clubs Aid Industry, National Chiefs Tell Ampa

By SHERWIN A. KANE

The charitable work of the Variety Clubs throughout the country have benefited the industry in many important respects, despite the fact that they have not been intended to do so, Robert J. O'Donnell of the Interstate Circuit, Dallas, told the Ampa luncheon meeting yesterday at the Hotel Edison.

The meeting was a testimonial to the Clubs and their leaders. Honored were John H. Harris of Pittsburgh, national Chief Barker, and O'Donnell, who is national assistant Chief Barker.

O'Donnell said he would like to see

(*Continued on page 4*)

Woolf New Head of British Producers

LONDON, Dec. 11.—The British Producers Association today appointed C. M. Woolf as chairman, replacing Major F. W. Baker. The appointment is in line with the organization's new constitution and plans for a more vigorous policy.

At a meeting on Monday with nonmember producers, the production situation will be studied, with a view to seeking Government assistance, with the backing of the Films Coun-

(*Continued on page 6*)

Defense Committee Meets Here Today

The industry committee cooperating for national defense is scheduled to meet here today to discuss arrangements for placing the organization on a war footing.

George J. Schaefer is chairman of the committee and Francis Harmon of the MPPDA is coordinator. Its members represent every branch of industry activity. Arrangements for gearing the organization for whatever wartime services it may be called upon by the Government to perform are expected to be made at the meeting.

Personal Mention

A. M. BOTSFORD is scheduled to leave for the Coast today.

•

ANAST NATOPOLOUS, Paramount theatre associate in Pennsylvania, visited the Paramount home office yesterday.

•

ROBERT M. WEITMAN and HARRY KALCHEIM of the New York Paramount Theatre were in Boston yesterday.

•

JOHN SPRINGER, publicity director of the Auditorium in Rochester, has been visiting here this week.

•

MORT SINGER is in town.

•

LEON NETTER left for Charlotte yesterday.

•

JAMES KEEFE, manager of the State Theatre, Spokane, Wash., is the father of a son, born to MRS. KEEFE this week.

•

KATHRYN LAVALLE of the Republic New Haven staff has announced her recent marriage to GREGORY CODOMO of Newark. She will resign to live in Florida.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
LORETTA YOUNG
"THE MEN IN HER LIFE"
A Columbia Picture
ON STAGE: "DO YOU REMEMBER"—Russell Markert's bright colorful revue. Symphony Orchestra under the direction of Erno Rapee. 1st Mezzanine Seats Reserved CIrcle 6-4600

BING CROSBY MARY MARTIN
in Paramount's
"BIRTH OF THE BLUES"
IN PERSON ORRIN TUCKER and Band featuring WEE BONNIE BAKER
PARAMOUNT TIMES SQUARE

Jack OAKIE • George MURPHY • Milton BERLE
Linda DARNELL • Walter BRENNAN
'RISE and SHINE'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
"WEEKEND IN HAVANA"
Carmen Miranda—Alice Faye
and 'CADET GIRL'

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

What to Do When the Air Raid Alarm Sounds

OFFICIAL air raid warnings sounded by sirens on fire apparatus will consist of a long blast followed by a short blast repeated for about five minutes. The all-clear signal consists of a series of short blasts sounded for about five minutes. The things to do when the signal sounds follow:

IN CASE OF AN ALARM

Above all, keep calm. Don't create panic. Get off the streets, but don't run; walk. If five minutes from home, go there. If at home, stay there. Home is the safest place. Don't mingle with crowds. If more than five minutes from home, seek shelter in the center position of nearest building. Avoid top and lowest stories of buildings. Stay away from windows and outside walls. Avoid elevators. Motorists should park cars and seek shelter. Stay out of subways. They are not safe. Put out lights. Avoid use of telephone, and again remain calm.

IN CASE OF A RAID

In case of a raid, shut off all gas ranges, heaters and furnaces. Turn off pilot lights. Fill bathtubs and buckets for use of firemen if mains break. Go to room with fewest windows and lie down. Keep radio turned on. Leave at least one window open. If incendiary bombs fall, spray water on them. Never use splash or stream of water, as the bomb will explode. Bomb will burn 15 minutes if left alone, only two minutes if sprayed. Don't use a chemical fire extinguisher on bombs. Cooperate with air raid wardens. Obey instructions. ABOVE ALL, KEEP CALM.

Duties of civilians are as vital to the country's welfare as are those of the armed forces. Obey these instructions carefully. Don't get excited. Your safety as well as that of your family, your fellow workers, may depend on how you act.

ALWAYS HAVE THESE INSTRUCTIONS WITH YOU

Studio Union Talks May Return to N.Y.

(*Continued from page* 1)

weight to the negotiations of the IA locals under way with the studios, Walsh has not taken complete charge of the talks with producers, and is acting, it was stated, only upon the eight locals' request for assistance. They were unable to conclude agreements in their individual negotiations in New York last September and have made slight progress since the talks were resumed here several weeks ago.

Walsh and Louis Krouse, International secretary, said that something may be done shortly on the jurisdictional dispute between Photographers Local 659 and the American Society of Cinematographers. They are studying that situation.

News Is Piped to Cincinnati Houses

CINCINNATI, Dec. 11.—WCPO, Scripps Howard station here, operated by the Cincinnati *Post*, has completed arrangements with nine local suburban theatres to pipe its 9 P. M. news broadcasts to the theatre audiences via loudspeakers.

War Cancels USO Show for Iceland

The troupe of players who were to depart this week to entertain soldiers in Iceland under the sponsorship of USO-Camp Shows, Inc., were notified by the War Department yesterday that the show has been cancelled because of the war. The announcement was made by Eddie Dowling, head of the organization.

WB 16-Week Sales Drive Starts Dec. 16

Warners has set a "Vitagraph Drive of Champions" sales campaign for the 16-week period from Dec. 16 to April 11, with the Warner field forces competing for cash prizes, the company announced yesterday. The prizes will be distributed among the four winning district managers and the 10 branches making the best showing. A. L. Schwalberg is drive captain, with the drive under the leadership of Ben Kalmenson, general sales manager.

Don't Use Phones When Air Raid Signals Sound, Lehman Warns

Albany, Dec. 11.—Governor Lehman today issued the following statement:

"When you hear an air-raid warning do not use your telephone. Tuesday's air-raid warning in the New York metropolitan area resulted in so many people using the telephone that the lines in some sections of New York and suburban areas were choked. Civilian defense authorities often were unable to reach air-raid wardens, and the full functioning of the defense organizations was retarded.

"I ask every one when an air-raid warning is sounded to remember that the telephone lines must be kept free for defense purposes. Only the most serious personal emergency warrants use of the telephone when you hear an air-raid warning. In the future, please refrain from telephoning until you are sure the all-clear signal has been given."

Newsreel Parade

PRESIDENT ROOSEVELT'S address by radio to the nation promising that the war will be won, but warning that it will not be easy, is, of course, the newsreel highlight of the weekend issues. Other material is for the most part related to the war situation. The contents:

MOVIETONE NEWS, No. 28—Roosevelt addresses the nation. Army and Navy enlistments soar. Plane factory opens in Columbus. New plane wing tested in California. Landing maneuvers at Fort Lewis, Washington. Soviet Ambassador arrives. Buenos Aires warehouse burns. New type lifeboat demonstrated in Seattle. Beauty parade in Miami. Attorney General outlines alien policy. Baby deer found in Washington, D. C., street. Six-year-old is champion bowler.

NEWS OF THE DAY, No. 226—President speaks to the nation. American youth answers call to colors. Malaya on eve of attack. *Ark Royal* crew reaches home port. Army practices landing maneuvers at Fort Lewis; dive-bombers in action. Tank production in Pennsylvania. Coast Guard seizes Finnish vessels.

PARAMOUNT NEWS, No. 31—President addresses the nation. Activity in military headquarters in Washington. Air-raid warnings in New York, San Francisco and Seattle. Toll mounts in Pearl Harbor attack. Recruiting offices crowded. Attorney General cautious on behavior toward aliens. F. B. I. arrests aliens.

RKO PATHE NEWS, No. 31—Roosevelt addresses the nation. Troops guard vital spots in this country. Navy planes in maneuvers. Chicago's new paper appears. New giant Navy plane burns. Attorney General advises public on aliens. Soviet envoy reaches United States. New plane wing demonstrated.

UNIVERSAL NEWSREEL, No. 40—President addresses the nation. America goes to war: recruits flock to join up; air-raid alarms; Attorney General warns on alien activity. Two British warships sunk. Navy dive-bombers in action. Army tests new tank in Pennsylvania. Soviet Ambassador arrives. New wing tested on Coast.

Hays Honor Guest Of Indiana Society

CHICAGO, Dec. 11.—Will H. Hays, MPPDA president, will be the guest of honor at the 30th annual dinner of the Indiana Society at the Stevens Hotel on Saturday.

A burlesque skit, "Hays-a-Poppin" will be the feature of the program focusing on Hays and on Hollywood. A specially prepared film, "Hoosier Boy Makes Good," will portray highlights in Hays' career with motion pictures. Hays is scheduled to leave for New York on Sunday.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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United Artists

announces that

Arnold Pressburger

has completed his

roadshow production

of John Colton's

world-famous stage play

"THE SHANGHAI GESTURE"

which will be available

for its premiere presenta-

tions about January 15th.



Arnold Pressburger

presents

"The SHANGHAI GESTURE"

From the celebrated play by John Colton

starring

GENE TIERNEY

WALTER HUSTON · VICTOR MATURE · ONA MUNSON

with

Phyllis Brooks • Albert Basserman • Maria Ouspenskaya
Eric Blore • Clyde Fillmore • Ivan Lebedeff • Rex Evans

Directed by JOSEF VON STERNBERG

Screen play by Jules Furthman, Karl Vollmoeller, Geza Herczeg

RELEASED THRU UNITED ARTISTS

Coast Studios On Day Shifts For Blackouts

(Continued from page 1)

police and fire departments for mutual protection.

Four studios today formulated a policy of management during war conditions. Twentieth Century-Fox ordered one production company to start at 7 A.M. and finish at 4:30 P.M. as a test to determine whether all activities could be confined to those hours. The laboratory was placed on a day basis instead of night work, making rushes of the shots taken the day before available the next afternoon.

All 20th Century-Fox employes will be fingerprinted and photographed for identity cards which they must have on them at all times. Radios were banned.

All Hal Roach employes were ordered to leave the lot at 4:30 P.M. today in order to avoid the rush in getting home in time for the blackout.

Study Safety Rules

Charles Boren, Paramount studio manager, heads a committee of department heads formed today to study recommendations for safety of employes at the studio and at home and will release instructions this weekend. Paramount has one troupe starting at 7:30 A.M. and quitting at 5 P.M. to determine whether that schedule can be made general.

Universal announced the organization of a studio defense corps as a unit of the California State Guard and a Red Cross unit primarily for defense of the studio. Windows have been painted and special lights installed in accordance with blackout specifications. Personal radios have been banned.

Remaining members of the Navy's Hollywood photographic unit will be called to active duty in a few days. The unit includes about 200 cameramen, electricians and sound men.

Speed N. Y. Blackout

New York City officials are speeding preparations to have the city thrown into darkness. The undertaking will be the greatest of its kind, requiring 29,000 wardens to turn off traffic signals and street lights, a job which must be done by hand. It is planned that Times Square will be completely blacked out for five minutes, including the dousing of the smallest neon sign.

Test blackouts in New York State were started Wednesday night. Buffalo was blacked out last night. This was in response to Governor Lehman's order to mayors of all municipalities in the state to hold practice blackout.

New York theatre men, as yet not fully certain about the part they are to play during an air attack, are to be instructed this morning at the Ziegfeld Theatre by Police Commissioner Lewis J. Valentine. This is an emergency meeting and all exhibitors and their staffs are urged to attend. The meeting will start at 10 a. m.

Theatres throughout the city have had wardens on their staffs for some time, the number in proportion to the size of the house. The Radio City Music Hall, largest theatre in the city, has 22 wardens.

Complete precautions for air raid warnings have been arranged at legitimate theatres in the Times Square area, yesterday announced Robert K. Christenberry, general manager of the Hotel Astor, who is air raid warden for the zone between 40th and 50th St., west of Fifth Ave. Managers, employes and actors will cooperate in reassuring audiences and protecting property, Christenberry said. After calming the audience, the play will be resumed with the lights on in the auditorium. Blackout measures will be taken.

In Canada, Too

Toronto, Dec. 11.—Gordon Conant, chief warden of Ontario, today ordered blackout regulations in the Toronto and Hamilton districts effective Dec. 20. On completion of precautionary measures a total blackout will be effective some time in January. Special instructions are going to theatre managers.

Review

"Melody Lane"

(Universal)

IN this film secondary consideration apparently was given the story. It is, in effect, several musical numbers, mostly a la jitterbug, strung together by a slight yarn about a swing group from Iowa brought to New York by an attractive agency promoter to broadcast for an eccentric sponsor.

In its favor is its energetic presentation. In it are the Merry Macs, Leon Errol, Baby Sandy, Anne Gwynne, Robert Paige, Butch and Buddy, Robert Paige and Ken Douglas. Charles Lamont directed.

Probably the most saleable element of "Melody Lane" is a combination of the tuneful vocal renditions and jive music by the "Rhythmeers," as they are labeled, and the fact that they are brought from the corn belt to the big city to promote a breakfast cereal called "Kornies." It has its possibilities.

Running time, 60 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

Variety Clubs Aid Industry, National Chiefs Tell Ampa

(Continued from page 1)

a Variety tent established in New York. He paid tribute to the newsreels and to Ampa for their cooperation with the Variety clubs.

The Dallas tent, headed by O'Donnell, raised five times as much as the next highest tent for Variety activities, it was disclosed by Harris. Among the achievements of the Dallas tent was the building of a hospital wing to care for 2,500 children and a $25,000 swimming pool for underprivileged children of Dallas.

Work such as this has the cooperation and appreciation of civic and religious leaders and the most influential community elements, O'Donnell pointed out. It wins valuable friends and defenders of the industry in many communities and among law-making bodies, O'Donnell said, although it is undertaken without any such design. This result was termed by Harris a "by-product of Variety."

Harris described the origin and work of the organization, relating that it was begun about 13 years ago with the adoption by 11 Pittsburgh showmen of a foundling left in the Sheridan Theatre. Without plan or design, he said, it has grown to 25 tents and a national organization which raised $900,000 this year—despite a goal of only $400,000—to bring assistance to more than 750,000 ailing or underprivileged children.

"The by-product of this," Harris said, "is the counteraction of many of the brickbats thrown at the industry."

"Variety did not bring charity to show business," he said. "The industry always has been charitable. But Variety for the first time brought the industry the recognition it deserves for its charitable work."

William McCraw, former Attorney General of Texas, was master of ceremonies. Among those present were: Barney Balaban, Vincent Trotta, Herman Wobber, T. J. Connors, William Clark, Max A. Cohen, Leon Netter, Leonard Goldenson, Sam Dembow, Louis Ruppel, Charles Freeman, Robert Savini, W. F. Rodgers, Edward Saunders, E. K. O'Shea, Edwin Aaron, Abe Montague, Rube Jackter, Sam Shain, H. J. Yates, J. R. Grainger, Ned Depinet, Herman Robbins, J. J. Fitzgibbons, C. C. Pettijohn, Kenneth Clark, Dave Palfreyman, Lou Pollock and Maurice Bergman.

Also: Charles E. Lewis, Carl Leserman, Earle Sweigert, Hardie Meakin, George Tyson, Jack Alicoate, Sidney Schreiber, Arthur Israel, Lester Thompson and F. J. A. McCarthy.

Oscar Wee Rites Today

WAYLAND, Mass., Dec. 11.—Funeral services will be held here tomorrow for Oscar E. Wee, 60, who died in Cambridge Tuesday. Wee was a noted road-show producer for many years. He is survived by his widow, the former actress, Louise Price. Burial will be in the Natick (Mass.) Cemetery.

U.S. Making Last Effort on Little 3 Trial

(Continued from page 1)

suit to the trial calendar in U. S. District court here. A hearing on the order was set for Dec. 17 before Federal Judge Henry W. Goddard, it was indicated that Robert L. Wright, Assistant U. S. Attorney General, at that time will ask the court to set the case down for trial in the early Spring, possibly in April.

If the Government is unable to win that action against the three companies, or failing that, to obtain from them a consent decree substantially similar to the present industry decree by June 1, the selling and trade show provisions of the present decree could become inoperative.

However, attorneys point out that the Government suit against the Schine circuit and the "Little Three" is now set for trial in U. S. District court at Buffalo on March 3 and that on the basis of their experience in the trial of the Crescent suit at Nashville, it may last several months. It was also recalled that Judge Goddard has on several occasions advised the Government attorneys that he would not consent to start a trial here which would force the "Little Three" to defend two cases simultaneously.

In view of these considerations, industry attorneys say, there is little prospect of the Government obtaining an early Spring trial date or of meeting the June 1 escape clause deadline by a victory here over the three companies.

Face Charges for Admitting Children

MONTREAL, Dec. 11.—Additional charges have been made against the operators of film houses for admitting children under 16 years of age. Several will be tried next Wednesday and others next Thursday. Eugene Savard, owner of the Theatre Nationale, also will face a charge of giving Sunday shows in violation of the Lord's Day Act. Exhibitors who have pleaded guilty to such charges have been fined $10.

Three Theatres in Yorkville Are Shut

(Continued from page 1)

German pictures, a number of which have been held in Customs, and they have been forced to run reissues.

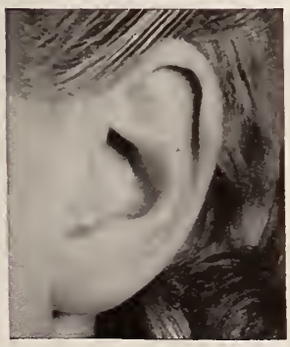
Meanwhile, it was learned that George Nitze, president of Ufa, the company which for years has been the distributor of German films in this country, has been taken into custody by the FBI in its sweep across the country apprehending aliens. Nitze's whereabouts were unknown yesterday.

Basketball Results

In the second round of the Motion Picture Basketball League series held Wednesday night at the Heckscher Foundation, Universal defeated National Theatre Supply, 37 to 30; International Projector Corp. beat Par amount 44 to 38 and M-G-M beat BMI 36 to 17.



The unseen star of August 6th, 1926



Helping you to please the ears of the world — through finer sound recording and reproduction — has been Western Electric's privilege for fifteen years.

That night 15 years ago—when "Don Juan" had its world premiere —marked the first public acceptance of talkies. The great success of that night could not have been achieved without this little cone in the loud speaker. The cone made it possible, for the first time, to *fill* a theatre with *high quality* sound. This is one of many *basic contributions* Western Electric has made available to the industry.

Electrical Research Products
Division of
Western Electric Company
INCORPORATED
195 Broadway, New York, N. Y.

Second of a series of advertisements covering basic developments in the art of talking pictures.

Rules N. C. Sunday Ban Unconstitutional

Charlotte, N. C., Dec. 11.—The city ordinance banning Sunday films at Asheboro, N. C., has been ruled unconstitutional by Judge Felix Alley in Randolph County Superior Court, and Francis White, Asheboro Alderman, operating two of the town's three theatres, has been acquitted of charges of violating the city ordinance.

The State of North Carolina has filed notice of appeal to the State Supreme Court.

Loew to Ask Minn. Escape Next Week Of Judge Goddard

(*Continued from page* 1)

can be drawn up, probably by Monday or Tuesday. A hearing probably will be held by the end of the week and the company would resume selling in Minnesota immediately after an order had been signed by the court.

The company's decision to resume selling in Minnesota was made by Nicholas M. Schenck, president, and W. F. Rodgers, vice-president and general sales manager, as a contribution to industry unity after they had been urged to do so by representatives of Northwest Allied at the all-industry unity meeting in Chicago this week. Northwest Allied was the sponsor of the Minnesota law.

Trial of criminal actions for alleged violations of the law against Paramount, RKO and 20th Century-Fox is scheduled to start Monday in Minneapolis, and will provide a test of the constitutionality of the state law.

Woolf New Head of British Producers

(*Continued from page* 1)

cil, against competitive services and restrictions on studio space.

The new Army Films Council met today with the exhibitors promising all aid and the distributors refusing to collaborate.

Meanwhile, it is understood the Board of Trade may prohibit all public display of stills as part of the drive to conserve paper.

100,000 Paramount Shares Converted

More than 100,000 shares of Paramount second preferred stock have been converted into common during the past three days, Stanton Griffis, chairman of the executive committee, reported yesterday.

The company announced a week ago that it would redeem the second preferred at $10.06 a share on Feb. 3 and that the conversion right, at the rate of nine shares of common for ten of preferred, will expire Jan. 20. There were 412,200 shares of the issue outstanding, and 22,600 shares in the Paramount treasury.

Lisbon Routes Are Closed By New War Declarations

(*Continued from page* 1)

New York and Lisbon, yesterday announced cancellation of sailings on Government order. The line's *Excalibur* is en route from Lisbon, due here Monday. John Ojerholm, managing director of Paramount's British laboratory, is the only known industry member on board.

The same line's *Excambion* is scheduled to sail from Lisbon today and Francis Harley, 20th Century-Fox managing director for Britain, and Robert T. Kane, head of the company's British production, are in Lisbon with accommodations for that sailing. Officials of the American Export Line said yesterday they have not been informed that the sailing has been canceled.

The Portuguese Embassy at London announced yesterday that it discontinued visas for civilian travelers between London and Lisbon. The American Government ordered discontinuance last Monday of accommodations for civilian passengers on the clippers between New York and Lisbon.

Few American film company employes are known to be in Portugal or Spain. Robert Kreier, manager for 20th Century-Fox in Spain, was in that country when heard from by the home office recently. Universal's Ernest Koenig, who had been stationed at Lisbon, arrived in New York last week.

Max Milder, Warners' managing director for Great Britain, had been reported in Lisbon awaiting transportation to New York, but the Warner home office said yesterday that Milder was still in London.

Several home offices received word yesterday from company representatives in the Dutch East Indies, Manila and Singapore. Those heard from reported that they were safe but that travel was impossible.

The *Lurline* of the Matson Line arrived at San Francisco yesterday from the Orient but Arthur G. Doyle, 20th Century-Fox Far Eastern manager, who is believed to be enroute to the United States, was not a passenger. Charles Mayer, who was on a ship en route to a Far Eastern post for 20th Century-Fox when the Japanese attack occurred, returned to New York from the Coast yesterday. The *President Polk*, on which he had sailed, was called back when one day out of San Francisco. Morey Marcus of United Artists also was a passenger on the vessel.

'New York,' Lewis Leaders in Buffalo

BUFFALO, Dec. 11. — "New York Town" and Ted Lewis and his orchestra on the stage drew $16,500 at the Buffalo. "Shadow of the Thin Man" in the second week at the Great Lakes took $10,000.

Estimated receipts for the week ending Dec. 6:

"New York Town" (Para.)
BUFFALO—(3,489) (35c-55c) 7 days. Ted Lewis & orchestra on stage in Rhythm Rhapsody Revue, with Geraldine & Joe, June Edwards, The Blair Sisters, Gladys Tell, Louis Glenn and Charles (Snowball) Whittier. Gross: $16,500. (Average, $12,000)
"Shadow of the Thin Man" (M-G-M)
'Moon Over Her Shoulder" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $7,500)
'Birth of the Blues" (Para.)
'Among the Living" (Para.)
HIPPODROME—(2,100) (35c-50c) 7 days, 2nd week. Gross: $7,000. (Average, $6,800)
"Look Who's Laughing" (RKO)
'The Pittsburgh Kid" (Rep.)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $7,500)
"You Belong to Me" (Col.)
"Naval Academy" (Col.)
LAFAYETTE—(3,000) (35c-50c) 7 days, 2nd week. Gross: $7,000. (Average, $6,300)

Rep. Studio Sets Up Film Report System

HOLLYWOOD, Dec. 11.—Republic announced today it has set up a system whereby salesmen and branch managers will report daily to the studio on the reception of pictures throughout the country. The reports will be on other companies' product as well as its own, it was stated. This information will be sent from the field to San Francisco, Memphis, Chicago and Washington offices for compilation and then dispatched to the studio.

Both public and exhibitor reactions to the type of entertainment wanted will be surveyed. Studio officials said they intend to use this information as a guide for its production program.

War Brings Slash In B'way Grosses

(*Continued from page* 1)

$65,000. "The Men in Her Life" opened yesterday.

"Rise and Shine" with a stage show at the Roxy completed its first week with an estimated $40,000. The show grossed an estimated $29,500 during its first three days beginning last Friday. It will play another six days, to be followed Thursday by "Confirm or Deny."

The third and final week of "They Died With Their Boots On" and Woody Herman's orchestra at the Strand brought an estimated $22,500. "Blues in the Night" with Count Basie's orchestra went in yesterday.

"Smilin' Through" finished a week at the Capitol with an estimated $14,500 and was replaced yesterday by "The Feminine Touch." "The Chocolate Soldier" in its sixth week at the Astor grossed an estimated $5,200 and begins a seventh week today. "How Green Was My Valley" drew an estimated $17,700 during its sixth week at the Rivoli and is now in its seventh. "Swamp Water" ends its fourth week at the Globe tonight with an estimated $4,000 and remains.

Coast Blackout Ruins Business

LOS ANGELES, Dec. 11.—Theatre attendance, off sharply since Sunday, was reduced to virtually nil in neighborhood and subsequent run houses last night as all Southern California underwent a complete blackout when enemy planes were reported overhead.

As one theatre executive said, "We might just as well have not opened our houses." Prior to Sunday business had been exceptionally good and then it dropped sharply.

Another blackout took place tonight.

'Woman' Gets $22,000 Lead, Philadelphia

PHILADELPHIA, Dec. 11.—The Army-Navy football game, coupled with the State's Thanksgiving Day on Nov 27 made for big grosses. "Two-Faced Woman" at the Boyd took $22 and "Birth of the Blues" gave the Fox $20,000.

Estimated receipts for the week ending Dec. 2-5:

"The Little Foxes" (RKO)
ALDINE—(1,400) (35c-41c-46c-57c-68c) days. Gross: $14,000. (Average, $9,000)
"You Belong to Me" (Col.)
ARCADIA—(600) (35c-46c-57c) 7 days 3rd run. Gross: 2,600. (Average, $2,600)
"Two-Faced Woman" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days Gross: $22,000. (Average, $13,000)
"New York Town" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) days. Vaudeville including Johnny Long' orchestra, Henny Youngman, Condos Brothers, Sue Ryan, Helen Young and Bob Houston. Gross: $18,000. (Average, $14,000)
"Tom, Dick and Harry" (RKO)
FAY'S — (2,190) (15c-29c-35c-46c-57c) days. Vaudeville including Valerie Parks Eddie White, The Kidoodlers, Olsen & Shirley, The Del Rios, Gae Foster's Roxyettes and Billy Klaiss' orchestra. Gross: $7,800. (Average, $6,900)
"Birth of the Blues" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days Gross: $20,000. (Average, $13,000)
"Skylark" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) days, 2nd run. Gross: $5,000. (Average $3,000)
"Sergeant York" (W. B.)
KEITH'S—(2,200) (46c-57c-75c) 7 days 2nd run. Gross: $11,000. (Average, $4,500)
"They Died With Their Boots On" (W. B.
STANLEY—(2,700) (35c-41c-46c-57c-68c) days, 2nd week. Gross: $14,000. (Average $14,000)
"International Lady" (U. A.)
STANTON—(1,700) (35c-46c-57c) 7 days Gross: $6,000. (Average, $4,500)

Waters Named Head Of Television Society

Norman D. Waters, advertising executive, has been elected president of the American Television Society to succeed Warren M. Caro, it was announced yesterday. Halsey V. Barrett was named assistant to the president.

Caro, who is now in Washington with the Federal Works Administration, was elected chairman of the board of governors.

"What Television Can Contribute to Defense" will be the subject of a symposium at the next meeting to be held Wednesday night at the new headquarters of the society at the Hotel Woodstock.

NLRB Ruling Holds Attorneys' Attention

A ruling of the National Labor Relations Board in Los Angeles is holding the attention of industry attorneys. It is to the effect that employer organizations may be regarded as "employers" within the meaning of the Wagner Act when the organization acts for an employer in matters affecting employe relations. The specific case, not concerned with the industry, involves employer associations and the Independent Canvas Workers Union.

Study Radio Procedure in Raid Alarms

(Continued from page 1)

ith Morris Novick, director of NYC, to advise the foreign lan- e populations of raid warnings. unicipal station will be the first set official warnings in this area d will feed them to other stations, t foreign language stations will, of urse, be compelled to make their n announcements.

Particularly during the early test arms will it be necessary to explain structions at length in languages hich every section of the population n understand, it was stated. The reign language stations have ac- pted the responsibility of passing on e news but the details, such as which ations will handle the various lan- ages, or whether each will broad- st in all the languages now heard the station, have not been set.

Miller Asks for Calm

In a letter to broadcasters Wed- sday night, Neville Miller, National ssociation of Broadcasters president, ked that newscasters and announcers eport war news calmly, slowly and liberately, so as to avoid horror, spense and undue excitement."

"We are in agreement with the War Department recommendation that for the handling of the war news definite periods of time be established, rather than the constant interruption of program service, except for news of transcendent importance," Miller said.

After four days of hectic interrup- ns, networks and stations yester- y settled down to something resemb- g regular schedules. The adoption set periods for newscasts resulted fewer interruptions, and NBC was nsidering reduction of the four min- s of flashes per hour if the news iets down.

Reported Interned

Among the missing yesterday were lm Paul Dickson, Mutual's Berlin rrespondent, who was reported in- ned, and David Colin, NBC's Rome rrespondent, about whom no reports ve been received. CBS said all its n were present and accounted for. RCA announced that its 24-foot- ter neon sign atop Radio City uld be blacked out.

CBS reported that it had increased short wave news 400 per cent since nday. Instead of the normal pro- rtion of 75 per cent entertainment d 25 per cent news, the news now nstitutes 75 per cent, it was said.

News commentators, normally re- icted to one period nightly, have en required to stay at the stations interpret news as it comes in. WNEW John B. Kennedy is heard frequent intervals during the day. tead of once, and NBC has sched- d H. V. Kaltenborn and John W. ndercook for nightly programs over combined Red and Blue. Kalten- rn goes on from midnight to :50 A.M. and Vandercook from :50 to 1 A.M.

WMCA is supplying news bulletins the League of New York Theatres hich, in turn, sends them to legiti- te houses to be read at intermis- sions. Use of the bulletins is left to the discretion of individual managers.

WOR, which had a patriotic song program, "Songs for Marching Men," is extending patriotic songs to other station-built musical shows. Publishers said thousands of war songs were being submitted and several, including "The Sun Will Soon Be Setting" and "You're a Sap, Mister Jap," have been accepted for publication. BMI, which published "Keep 'Em Flying," accepted another war song yesterday, "They Started Somethin'."

Off the Antenna

CECIL BROWN, CBS Singapore correspondent, who was on the *H. M. S. Repulse* when sunk by the Japanese, came through yesterday with the first stirring eye-witness story of the current hostilities. Brown, who could not get on the air, sent a cablegram to the CBS home office and followed it with another giving minute-by-minute details. The detailed account was read during the network's 8 P.M. news period.

Brown described in detail how he swam about in oil-covered, shark-infested waters and how any piece of debris which would float was eagerly seized. "After 50 minutes in the water," he said, "I managed to reach a Carley float. It was jammed but a Royal Marine helped me to sit on the edge of the float. Others were sitting inside the float and still others hanging onto the edge. It required an hour and a half to reach the destroyer and we sang 'When Irish Eyes Are Smiling' and 'Anchors Aweigh' and tried to cheer each other up. . . . I saw the *Wales* lay over on its side, hover there for 10 minutes and then its stern slid under, the jagged bow rose in the air like a crippled limb of a giant and it too disappeared."

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Purely Personal: Charles Benzinger has been named assistant trade news editor for CBS. Robert Gerdy is editor. Benzinger joined CBS publicity in February. . . . Al Helfer, master of ceremonies of Mutual's "Spotlight Bands," has been called to active Navy duty as lieutenant, junior grade. Gil Newsome will succeed him. . . . Two CBS page boys won promotions this week. Hamilton O'Hara has been appointed to the sound effects department, while James Beach has been named to the short-wave script department. . . . Jay Sims, WOR newscaster, has been promoted to the rank of captain in the 14th Regiment, N. Y. home guard.

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BMI yesterday announced the personnel of Greene & Revel, Inc., new music publishing firm which intends to specialize in music from pictures. Harry Revel is president; Mort Greene, vice-president; Robert Burton, secretary-treasurer, and Charles Lawrence, assistant treasurer. Burton and Lawrence are associated with BMI.

Cincinnati Games Set November High

CINCINNATI, Dec. 11.—There were 264 city-licensed chance game parties held here in November, constituting an all-time numerical high, according to report of Police Chief Eugene T. Weatherly to City Manager C. O. Sherrill, which showed total attendance of 284,147. Gross receipts were $198,903, cash prizes, $47,544, and net to sponsoring organizations, $151,358. Average net cost per player was 53.3 cents.

Comparatively, there were 256 parties in October, with attendance of 295,893. Gross was $211,978, prizes, $49,321, and net, $162,657. Average net cost per player was 54.1 cents.

Receiver Report Due

Edward Schwartz, receiver in the case of Abraham Axelrod, assignee of Har-ran, Inc., against Film Automatic Machine Corp., will file his second intermediate report and account in the Federal Court of New Jersey on Monday. Schwartz will ask an allowance of $2,500 for himself and $1,500 for his counsel.

Renovate Tavern

The dining room at LaHiff's Tavern, 156 West 48th St., frequently visited by persons in the trade, has been closed for alterations and will reopen Monday.

Hold Rites for Benesch

CHICAGO, Dec. 11.—Funeral services were held here yesterday for Charles Benesch, 73, pioneer exhibitor, who died Tuesday. Surviving are his widow, two daughters and one son, Elmer, who operates the Madlin, Century and Lindy theatres. Burial was in B'nai Abraham Zion Cemetery here.

Comforts of Home

San Francisco, Dec. 11

NOW it's rocking chairs at the films—400 of them, with head rests—now being installed across the entire front of the balcony of the new Downtown Theatre, formerly the Casino, which will reopen on Christmas Day. Reconditioning is costing $90,000 all told.

WB Circuit Ad Men Meet Here Monday

Warner Theatres advertising and publicity staffs will meet at the home office on Monday, with Harry Goldberg, advertising and publicity director for the circuit, presiding. "Kings Row" will be screened and the meeting will be addressed by Harry Kalmine, assistant circuit general manager.

In attendance will be: James Totman, Pittsburgh; Everett C. Callow, Philadelphia; Dan Finn, New Haven; Robert Paskow, Newark; Charles Smakwitz, Albany; Larry Stein, Chicago; Marcel Brazee, Milwaukee; J. Knox Strachen, Cleveland; Howard Waugh, Memphis, and Frank LaFalce, Washington.

Frank Conrad Dies; Was Radio Pioneer

MIAMI, Dec. 11.—Dr. Frank Conrad, 67, who started broadcasts over KDKA in a Pittsburgh garage and subsequently arranged for broadcast of the 1920 presidential election returns over that station, died today.



FAME

THE EIGHTH ANNUAL EDITION OF THE INTERNATIONAL REFERENCE AUTHORITY ON TALENT VALUES IS NOW IN PREPARATION.

THE BOX OFFICE CHAMPIONS OF 1941 PRESENTED WITH COMPLETE ANALYSIS AND PERSONNEL CREDITS. . . . THE MONEY MAKING STARS OF THE SEASON EVALUATED AND REPORTED UPON BY THE EXHIBITOR SHOWMEN OF THE WORLD.

THE RADIO CHAMPIONS OF 1941 AS POLLED BY MOTION PICTURE DAILY AMONG THE EDITORS OF THE DAILY NEWSPAPERS OF AMERICA.



EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 117 NEW YORK, U.S.A., MONDAY, DECEMBER 15, 1941 TEN CENTS

FILE COPY DO NOT REMOVE

ALL N. Y. THEATRES PREPARE FOR RAIDS

Films Leading Entertainment At Army Camps

Survey Shows Reliance On Screen Fare

Motion pictures are the chief source of entertainment for the thousands of men in training at the Army camps of the nation, a survey by MOTION PICTURE DAILY discloses.

In most of the encampments of the country, now operating at capacity with enlisted and drafted personnel, one or more motion picture theatres, manned for the most part by service men, show the best of the industry's product.

It is fed to them by the Army Motion Picture Service, with short subjects and newsreels making up the same type of full film program shown in the regular theatres of the country.

At the same time, the increase in defense activities in various sections

(Continued on page 6)

NBC Sells Artists' Unit to Executives

NBC on Friday sold its concert and talent divisions, including the Civic Concert Service, Inc., to a group of four network executives, including Alfred H. Morton, vice-president in charge of television; Daniel S. Tuthill, assistant director of the artists' service; O. O. Bottorff, president of Civic Concert Service, and Marks

(Continued on page 7)

I. A. Studio Talks Slated for New York

Hollywood, Dec. 14.—The negotiations of eight IATSE studio locals on new contracts will be transferred to New York immediately after the first of the year, Richard Walsh, IA president, stated today.

Walsh left for New York with Lou Krouse, international secretary, after a three-day visit here during which he sat in on the negotiations. The locals will retain their autonomy and will send business representatives to the New York negotiations.

Cancel New Orleans Mardi Gras for 1942

New Orleans, Dec. 14.—For the third time since its inception in 1827, the city's Mardi Gras, set for next February, has been called off. Decision to cancel most parades and balls was announced after a meeting of the governing committees of the carnival organizations, because of the war.

The carnival was called off during the Civil War years and in 1918 and 1919.

Arbitrator Assails Decree and Buying Power of Circuits

The consent decree itself and the buying power of large, established circuits is sharply assailed in an arbitration award handed down over the weekend by George S. Harris, dean of the Newark Law School, in the some run complaint filed at the local board by the Cedar Operating Co., owner of the Strand, Astoria, L. I.

The arbitrator, however, dismissed the complaint without prejudice to its renewal at a time when factual, rather than opinion evidence can be presented. In doing so, Harris held that the limitations of Section 6, the some run section of the decree, make it and the decree, itself, "woefully defective in protecting the rights of new theatre owners in a district where circuit theatres are already entrenched."

The complaint was dismissed, the arbitrator explains, because it was filed "prematurely" with respect to

(Continued on page 3)

FDR Will Get Censor Right

WASHINGTON, Dec. 14.—Enemy-owned property, including copyrights and patents, in the United States is made subject to seizure by the Government and broad authority is given the President to impose a censorship on all communications, in legislation which is expected to be enacted by Congress this week to give the President sweeping war-time powers.

The measure will include all of the authority given the Chief Executive during the first World War, with such additional authority as may be

(Continued on page 7)

Defense Report Will Be Made on Friday

A report and recommendations of the industry committee cooperating for national defense will be made to the MPPDA board of directors at a meeting Friday on means of obtaining cooperation in placing the industry on a war footing for any service it may be called upon by the Government to perform.

Members of the committee, of which Francis Harmon of the MPPDA is coordinator and George J. Schaefer, chairman, was held on Friday at the latter's office. No statement was issued following the meeting, which was described as an "executive session."

750 Managers Are Given Rules; Times Square Set for Blackout

By EDWARD GREIF

Approximately 750 managers and their assistants gathered at the Loew's Ziegfeld Friday to receive instructions on how to handle theatre audiences in the event of blackouts, air raid warnings and possible attack.

Meanwhile, from other sources, it was learned that arrangements were being completed to effect a blackout of the whole Times Square area within five minutes. A test blackout of the entire New York metropolitan area is expected shortly it is also reported.

They heard addresses from police and fire department officials and representatives of the volunteer air raid wardens. The principal theme of the

(Continued on page 3)

Kent Will Leave for Hollywood in Week

Sidney R. Kent, president of 20th Century-Fox, will leave for California in about a week. He will be joined there later by Tom Connors, his personal assistant, who takes up headquarters with Kent at the company's home offices today. A. M. Botsford, director of advertising and publicity, who left for the studios on Friday is expected to return before Connors leaves to join Kent. Morris Kinzler, of the Kayton-Spiero advertising agency, which handles the company's account, accompanied Botsford.

See U.S. Asking Extension Of Decree Escape Clause

The Department of Justice, according to legal opinion in the trade, will petition Federal Judge Henry W. Goddard for an extension beyond June 1, 1942, of the deadline for the consent decree escape clause.

On Wednesday, the Department is scheduled to apply to Judge Goddard for a reinstatement of the anti-trust suit against Universal, Columbia and United Artists to the U. S. District court calendar here. However, legal observers see little chance of the Government being able to obtain a trial date for the suit before next May, at the earliest, due to the fact that trial of the Government's suit against the Schine Circuit in Federal court at Buffalo is set for March 3.

Judge Goddard has informed the Government on previous occasions that he would not require the "Little Three" to defend two of the Department's suits simultaneously. Therefore, it is believed that, with the Schine trial consuming at least two months, trial of the New York suit could not be started before May and could not be concluded by the June 1 deadline.

With the New York suit back on the court trial calendar here, however, attorneys believe that the Government

(Continued on page 3)

Critics' Circle Calls Off Annual Party

Because of the War, the Motion Picture Critics' Circle, in New York, has decided not to hold its customary reception in connection with the annual polling of best pictures, producers, directors and actors of the year. The poll, however, among the metropolitan newspaper critics will be held as usual on Dec. 29. The reception generally followed within a week after the poll was taken.

S.P.G. Invites Units To Defense Meeting

Invitations have been sent by the Screen Publicists Guild to Ampa, Film Players Club, M. P. Associates, MPPDA, National Board of Review, Society of M. P. Engineers, MPTOA, Allied of N. Y., N. Y. ITOA, the trade press and operators, laboratory technicians, studio mechanics, Warner Bros. office employes, Screen Office & Professional Employes Guild, photographers and exchange employes unions for a meeting Friday to discuss local industry cooperation in the war effort.

The conference will be held at the Hotel Piccadilly and is not intended to conflict with the industry national defense committee, as the new group will operate locally and not nationally.

In his letter of invitation to the meeting, Joseph Gould, S.P.G. president, said: "We in the motion picture industry have a special responsibility. . . . It requires that we trade unions, employer associations, the press, welfare societies, social clubs—all unreservedly and at once, pool our skills, our energies and our resources for the all-out job of preparing our nation for battle and for victory."

Blumberg to Coast For Product Talks

Nate J. Blumberg, Universal president, left for the Coast over the weekend and will remain at the studio most of the Winter.

J. Cheever Cowdin, Universal board chairman, who is now on the Coast, will remain at the studio through January. The home office and studio executives will begin the planning of Universal's 1942-'43 production schedule immediately after the first of the year. The company's current season's schedule is now nearing completion.

Capra Halts Work; To Enter Service

HOLLYWOOD, Dec. 14.—Frank Capra will discontinue production for the duration and expects to enter Army service, he stated over the weekend.

Capra said he has applied for a commission in the Signal Corps and expects to be called soon. He is now completing "Arsenic and Old Lace" for Warners, his last picture at that lot. Capra had only recently closed a deal with 20th Century-Fox for release of his future productions.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Evgs. except Mon. Mats., Sun., Wed. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

WILL H. HAYS, president of MPPDA, is due from Chicago today.

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SAM BUCHWALD, general manager of the Fleischer Studios in Miami, left over the weekend to return to Miami.

•

PHIL ENGEL of Warners left over the weekend for Syracuse and Albany.

•

CHARLOTTE MCGUIGAN, secretary to Harry F. Shaw, Loew-Poli division manager in New Haven, is ill.

ABE MONTAGUE, RUBE JACKTER, LOU ASTOR and MAX WEISFELDT of Columbia will return from Philadelphia today after attending the annual Variety Club banquet there last night.

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RUSSELL BIRDWELL is due here today on the *Excalibur* from England.

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MARION B. FOLSOM, treasurer of the Eastman Kodak Co., has been reappointed to the Unemployment Insurance State Advisory Council by GOVERNOR LEHMAN.

Flynn Is Due Here For M-G-M Confabs

Jack Flynn, recently appointed Central division manager for M-G-M, will arrive from Chicago today for his first home office visit in his new capacity.

S. A. Shirley has returned to the Chicago office of M-G-M as district manager with supervision over Chicago, Milwaukee and Minneapolis, the post from which he was forced to withdraw several months ago because of illness.

Also at M-G-M in Chicago, W. E. Banford has resumed his duties as branch manager after a two-month illness, and J. G. Kemptgen has been promoted to sales manager at the branch, which post he held during Banford's absense.

2,800 Attend W.B. Annual Xmas Party

The Warner Club's annual Christmas party was held Saturday at the Vitaphone studio in Brooklyn with 2,800 children and adults attending. The entertainment was arranged in circus fashion with animal acts and the like, in addition to a "Santa Claus pageant" comprising 18 carts of toys and candy.

The committee in charge included Ralph Budd, chairman, Morris Schiff, Harry Mayer, Don Sherwood, Martin Bennett, Milton Cohen, Bernard Goodman and Robert Salomons.

Fight Overcrowding In Ottawa Theatres

OTTAWA, Dec. 14.—A campaign has been instituted here by Allen M. Taylor of Toronto, Provincial Inspector of Theatres in Ontario, against the crowding of theatre aisles. As a result of the drive, Sam Levinson of the Rialto Theatre and Donat Paquin of the Francais Theatre each has been fined $10 plus $2 costs in Magistrate's Court.

Convert 151,220 Shares

A total of 151,220 shares of Paramount second preferred stock was converted into common during the first four days of last week, the company reported Saturday. There are now outstanding 255,601 shares of the issue outstanding. The company has announced it will redeem the issue Feb. 3.

Acquires Mo. Theatre

KANSAS CITY, Dec. 14—The Davis Theatre in Higginsville, Mo., has become a unit of Commonwealth Theatres. The circuit took over the house from J. W. Davis. Roger Mann is manager.

Loew Defendant in Stockholder's Suit

A stockholder's suit against Loew's, Inc., and its officers and directors brought by Edward F. Wagner was disclosed Friday in N. Y. Supreme Court when Loew's filed application to dismiss the complaint on the ground that the statute of limitations had expired. Wagner seeks an accounting claiming officials of Loew's made invalid payments to settle actions brought against it by other stockholders in 1936 and 1937. The complaint listed four alleged instances of these settlements, where it is claimed a total of $17,000 was paid to four complaining stockholders.

Trade Gives $15,000 To China Relief Fund

The motion picture industry has contributed $15,000 to the United China Relief, according to James G. Blaine, chairman of the board of relief organization.

The contribution was transmitted by Will H. Hays, president of the MPPDA, on behalf of the industry, and represented a portion of the proceeds of the distribution of the film, "Land of Liberty."

Conn. Allied Decree Survey Ready Soon

NEW HAVEN, Dec. 14.—The Allied Theatre Owners of Connecticut survey of independent exhibitors with regard to their reactions to the consent decree and alleged violations, is progressing, and will soon be ready for compilation of results, states Maxwell A. Aderman, executive secretary. Almost 50 of the questionnaires have been returned, with an overwhelming majority in opposition, it is reported.

WB Xmas Party Held

NEW HAVEN, Dec. 14.—The annual Warner Christmas party was held Friday evening at Waverly Inn, Cheshire, Conn., with all employes of the theatre and exchange departments, and managers and bookers of other exchanges invited. The dinner was followed by dancing. I. J. Hoffman, head of the New Haven zone of the Warner Theatres, was host.

Buys Delaware House

CHESTER, Pa., Dec. 14. — Richard Edge has left his post as manager of the Lyric to take over operation of the Don at Claymont, Del. He has reopened the house as the Pike with Norman Mumford coming in as house manager.

Short Subject Reviews

"Our America at Home"

(March of Time-RKO)

FOUR days after the internation conflict struck home—the "Marc of Time" had made available "Ou America at Home," a compell treatment of something that is deep the minds of all. Taken for the mo part from "The Ramparts W Watch," it draws a striking parall between the war activity of 1917 ar present-day reaction to aggressio Added to the war scenes from "Th Ramparts" are President Roosevelt address to Congress, volunteer swarming to the enlistment depots an the like. It is presented in stirrin fashion, and is a most timely an valuable subject. Running time, 1 minutes. Release, Dec. 19, 1941.

"Women in Defense"

(National Defense Committee)

Produced by the Film Unit of th Office for Emergency Managemen this defense subject is distribute without charge to participating ex hibitors by the Motion Picture Com mittee Cooperating for National De fense. With commentary written b Mrs. Eleanor Roosevelt and spoke by Katharine Hepburn, the subjec merely recounts the varied ways i which women are of assistance in th defense effort. Neither commentary or production are particularly inspire or inspiring, although the subject mat ter hardly lent itself to extraordi nary effort. However, it doubtles will serve the purpose for which i was designed. Running time, 10 mins

"How War Came"

(Raymond Gram Swing Historical)
(Columbia)

The popular radio commentator Raymond Gram Swing, undertakes t explain the beginnings of the war. Fo this explanation, Swing sketches th background of events which precede the outbreak in 1939. His points ar emphasized by interesting, color ani mations. Although the reel has n reference to the U. S. declaration of war, it is extremely timely an should be effective now. Running time, 8 mins. Release, Nov. 7, 1941

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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Arbitrator Assails Decree and Buying Power of Circuits

(Continued from page 1)

ection 6. The Strand was not pened until 12 days after the com- laint was filed. Prior to its open- ng, the evidence disclosed, the opera- ors of the Strand had been unable obtain any run of 1940-'41 product m the five consenting companies ecause it was already contracted for nd the decree does not permit ex- sting contracts to be disturbed.

When the Strand's operators asked or 1941-'42 product they were told t could not be offered until after it ad been trade-shown, metropolitan howings had been completed and cer- ain road show engagements were nded.

The arbitrator held that since the Strand, as of Aug. 15, when the com- laint was filed, could not show other han by opinions that the run offered t by the distributors, which was ast run in Astoria, was one calculated o defeat the purpose of Section 6, he was obliged to dismiss the com- laint.

Harris's opinion was critical of the ecree provisions which exempted 0th Century-Fox from the complaint ecause it has a franchise with the Skouras circuit, named in the com- laint as an interested party, which uns until 1948, and was critical, also, ecause the decree exempted RKO when it was shown that the company, hrough subsidiaries, controls 20 per ent of the stock of the Skouras op- rating company involved.

Criticizes Skouras

He was critical of the Skouras cir- uit for its failure to intervene in the ase, concluding it "had complete con- idence that its interests would be am- ly protected by the defendant dis- ributors."

Suggesting that it would be "wise nd salutary" for distributors to make 'conscientious efforts to reach equit- able results in all their dealings with exhibitors," Harris's opinion observes hat: "If the distributing defendants an, by designating a run free from nterference of any arbitrator to a new heatre coming into an underseated district which will not permit that theatre to subsist, then the distrib- uting defendants can throttle new en- terprise and can freeze existing en- terprises both of ownership and con- trol in the mould of their making."

Files Clearance Case At Kansas City Board

KANSAS CITY, Dec. 14.—J. E. Pen- nington, operator of the Cozy Theatre, Topeka, has filed a clearance com- plaint at the local board naming all five consenting companies and nine Topeka first run theatres as interested parties.

The complaint charges that the Cozy is required to follow Topeka first runs by 120 to 128 days and as- serting that this is an unreasonable clearance, asks that a maximum clear- ance of 50 days in favor of the first runs be established.

Grainger on Tour

James R. Grainger, president of Republic, left by plane Friday night for a country-wide tour including a stay in Los Angeles for the Christmas holidays and Toronto Jan. 12 to at- tend a salesmen's meeting.

All Theatres in New York Preparing for Air Raids

(Continued from page 1)

meeting was that common sense is needed most. Staffs should be trained, equipment checked immediately and the show should be kept going unless something hits the theatre.

The meeting was originally intended by C. C. Moskowitz, head of Loew's New York theatres, as a class of in- struction to his managers but he decided later to include all exhibitors. Harry Brandt presided.

An attempt to exclude the press from this meeting by those in charge was ignored, the- atre managers present observing that such an attempt was com- pletely out-of-order.

All speakers urged that audiences should be kept calm and made to understand that they are safer in the theatre than out in the street. Leader- ship of the audience should be as- sumed by some one in responsibility, it was stressed. It was suggested that trailers should be prepared for routine showing, explaining that the staff is equipped to handle all emergencies and advising the audience exactly what to do in the event of a raid or blackout.

Speakers declared that no building was completely safe against a direct hit but that death or injuries from direct hits were relatively few, while casualties from shrapnel, spent anti- aircraft shells, flying debris and auto- mobile accidents during blackouts were greater than from direct hits.

Those who spoke included Lieuten- ant Maley, of the Police Department; Chief John J. McCarthy and Battalion Chief Donahue of the Fire Depart- ment; Captain Edward J. Kelly, of the Army chemical warfare division, Ed Sullivan, the columnist represent- ing the voluntary air raid wardens and Brandt. General instructions follow.

Raid Instructions for Personnel of Theatres

Don't send people into the streets in the event of a raid.

Any building is better than no build- ing.

Glass causes many casualties.

If the audience doesn't know about the raid, don't tell them. They won't know unless they are close to the actual bombing area or near the sirens.

Make a brief announcement, if necessary.

Put the Do's and Don't's before your audience on the screen, and make them aware of what to do. Avoid lectures. Make them aware of their conduct, just as is done with notices about fire exits.

Train the theatre personnel on what to do. Each building will have its control director. He will receive his instructions from the proper author- ities and he, in turn, should pass on the instructions to the staff.

Retain children in the theatre during raids.

Keep normal interior lighting on; shut off exterior lights, including ex- terior exit lights.

If the house is filled, send persons on the street to other shelters; where no other shelters are available, admit them but avoid over-crowding. Crowded theatres create additional hazards.

In raids, the effort should be made to decentralize the population, rather than crowd them in shelters.

No building is entirely safe from direct hits; but any building will pro- vide some shelter against shrapnel, spent anti-aircraft shells, and flying debris.

Fireman Is the Boss

Where a fireman is stationed at the theatre, he is in supreme command.

Keep exits and aisles clear.

Audiences should be led from the topmost balconies to lower levels, in orderly fashion. This rule should be applied particularly in houses with more than one balcony.

Check your fire appliances and first aid equipment. The Fire Department will aid, if you call upon them for assistance.

If there is no direct telegraphic con- nection box with the Fire Department, have one installed. Don't depend on street boxes. Make sure that all em- ployes know its location. In the event of difficulty, the first thing to do is to call for assistance.

The entire staff should be subject to the direction of the fireman.

Be more alert of the cleaning of courts and fire escapes of snow and ice. They are more subject to use now.

If fire breaks out or a bomb strikes, and there is no fireman present, some one person should be in charge. Don't try to keep the people in the house, because they won't stay. Ask the audi- ence to file out slowly. If there are musicians present, they should assist by continuing the music.

Wait for Orders

Confer with the local police captain on the release of audiences after black- outs. There would be considerable confusion if all theatres in the Times Square area emptied simultaneously into the darkened streets. Hold your audiences in the house and keep them amused if possible. Some theatres have arranged to keep old songs handy and the audience will be encouraged to join in the singing.

Aid the Fire Department by co- operating for enlistments in the Fire Department Emergency Auxiliary Corps.

Nothing definite has been settled about rooftop watchers for incendiary bombs, but it will be arranged soon.

Blacken with opaque paint, the sky- light over the stage, so that the show can continue.

Arrange to install a small-powered auxiliary lighting system for emer- gency use in the event of a complete power failure.

Keep a good quantity of sand in bags handy.

Admit persons seeking shelter off the street in the event of a blackout, re- gardless of whether they have the admission price. You may ask them to leave later, for whatever effect that will have.

Nothing has been considered up to now about camouflaging.

Policeman in Charge

If there is no fireman present, take orders from a policeman; if neither is present, encourage the cooperation of air raid war- dens.

Do not conduct fire drills while any of the audience is present.

Allay fear about gas. The danger is not as great as it has been made to appear. If anyone is gassed, there are three things to do: Call for as- sistance; remove the injured to fresh air and keep them quiet.

USE COMMON SENSE.

CHECK EQUIPMENT AND TRAIN STAFFS IMMEDIATE- LY.

KEEP THE SHOW GOING.

$215,700,084 Was Film Cost for 1939

WASHINGTON, Dec. 14.—Motion picture production activities were at a peak in 1939, with 178 establishments expending $215,700,084 in the produc- tion of films, it was disclosed by the Census Bureau on Friday in a final report on that branch of the industry.

The bureau figures indicated there were 95 more establishments operat- ing in 1939 than in 1937, and that the expenditure for production was almost exactly $18,000,000 greater.

The total personnel engaged in the industry was 35,345 against 32,398 in 1937. The number of salaried officers and employes was 9,635 against 13,060, and the number of wage earners aver- aged 24,052 against 19,338; salary payments totaled $93,341,137 against $102,393,327 (the only item to show a decrease) and wage payments were $45,735,926 against $37,157,753.

Of the total of 178 establishments reported, 93 were in California, 65 of them in Los Angeles City and 23 in the Los Angeles industrial area.

Figures previously published by the Census Bureau showed that during the year 27 features costing $14,356,- 442 were produced in color; 493 fea- tures costing $117,830,011, in black and white, 125 shorts costing $1,723,- 400, in color, and an unspecified num- ber of shorts, costing $4,251,624, in black and white.

See U.S. Seeking Escape Extension

(Continued from page 1)

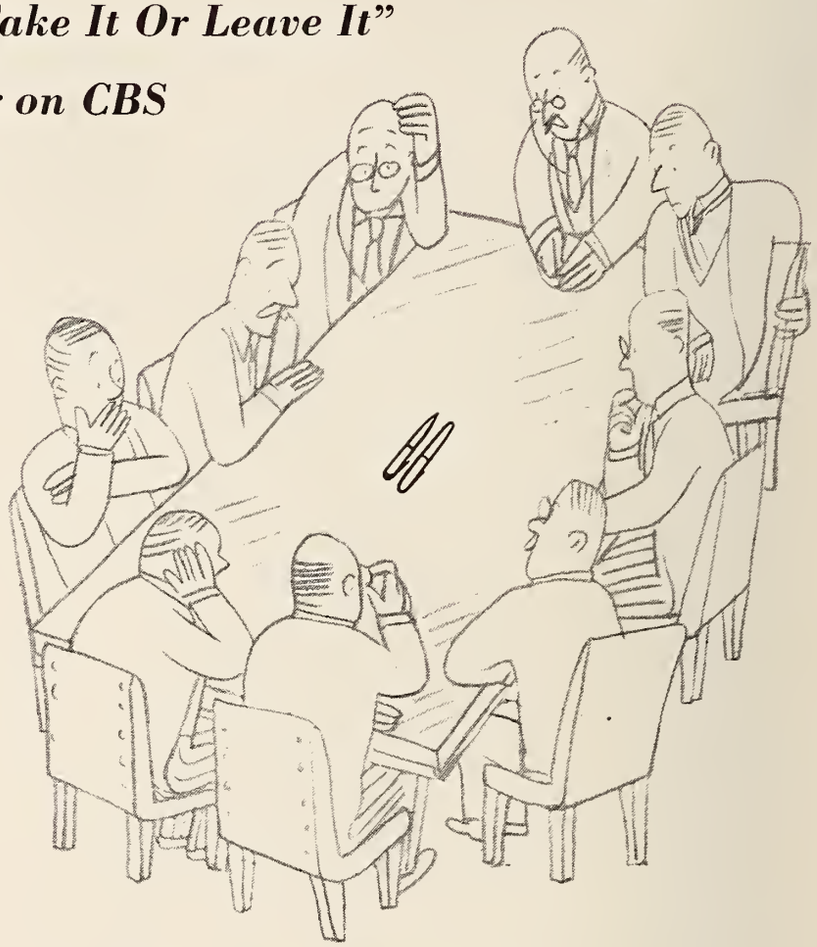
will ask Judge Goddard to extend the escape clause deadline from June 1, probably to the end of the year, as soon as it becomes obvious that there is no possibility of concluding the New York suit by June 1. If the Government has not won a court de- cision against the Little Three or ob- tained from them a decree substantially similar to the present one by that date, the trade show and block-of-five sales provisions of the decree may be abandoned.

However, if Judge Goddard was to grant a Government application for an extension of the June 1 deadline, the two provisions would remain in effect for another selling season, it is believed. Observers are of the opinion that, if the consenting companies are unable to show that they have ex- perienced a substantial loss of revenue in favor of the non-consenting com- panies by the time that a Government request for an extension of the June 1 deadline should be made, the court might feel impelled to grant the Gov- ernment's request.

A Pen and Pencil Study

of Eversharp's "Take It Or Leave It"

in its second year on CBS



These gentlemen were worried about selling an $8.75 Eversharp pen and pencil set in a market where you can buy a pen for 29 cents and a pencil for a dime.

But not any more!

. . . not since they put the *entire* Eversharp appropriation into radio about two years ago, went on the air over CBS with "Take It Or Leave It".

. . . not since their sales jumped ***more than 100 per cent*** in less than a year.

. . . not since they found out that radio could sell pens and pencils all year around—on St. Swithin's Day as well as at Commencement and Christmas.

No wonder President Martin L. Straus of the Eversharp Company wrote to CBS: *"Radio has raised sales to new peaks all over the country. Radio* ***alone*** *has enabled us to reach housewives and college students; factory workers and business men; farmers and city folk—for practically everybody listens."*

For more than a year, Eversharp has been writing the script of this brilliant success story on CBS. It's a script long familiar to people who sell cars or sterling silver. It's a script for people who make mattresses or refrigerators or cameras. In fact, it's for all manufacturers whose products *cost a lot . . . last a long time.* Radio can sell them just as successfully as it sells "quick turnover" items—the soups and soaps, the cereals and cigarettes. Just as successfully and just as surely.



CBS borrowed a pen and pencil from Eversharp (as well as the facts) to produce a new booklet, "Take It Or Leave It." Copies may be obtained from CBS, 485 Madison Avenue, New York.

THE COLUMBIA BROADCASTING SYSTEM

'Thin Man' Good for $6,000 in Cincinnati

CINCINNATI, Dec. 14.—"Shadow of the Thin Man" collected $6,000 on its moveover week at the RKO Grand, and "Ice-Capades" with Orrin Tucker's orchestra and Bonnie Baker on the RKO Shubert stage pulled $15,000.

Estimated receipts for the week ending Dec. 3-6:

"I Wake Up Screaming" (20th-Fox)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $8,000. (Average, $12,000)
"Keep 'Em Flying" (Univ.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,500. (Average, $10,000)
"Ice-Capades" (Rep.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Orrin Tucker's orchestra with Bonnie Baker. Gross: $15,000. (Average, $12,000
"Sergeant York" (W.B.)
RKO CAPITOL—(2,000) (40c-50c-60c) 7 days, 10th week. Gross: $4,600. (Average, at 33c-40c-50c, $5,500)
"Shadow of the Thin Man" (M-G-M)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $5,000)
"Suspicion" (RKO)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $3,600. (Average, $4,500)
"Mercy Island" (Rep.)
"The Rough Riders" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)
"Man at Large" (20th-Fox)
"Last of the Duanes" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Texas" (Col.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,500. (Average, $5,000)

'Flying' Best Bet in St. Louis at $15,100

ST. LOUIS, Dec. 14.—"Keep 'Em Flying," in its second week at the Fox, grossed $15,100. "Shadow of the Thin Man," in its second week at Loew's, took $12,000.

Estimated receipts for the week ending Dec. 4:

"Shadow of the Thin Man" (M-G-M)
"Two Latins from Manhattan"
LOEW'S—(3,162) (30c-40c-44c-56c) 7 days, 2nd week. Gross: $12,000.
"Rise and Shine" (20th-Fox)
"Moon Over Her Shoulder" (20th-Fox)
AMBASSADOR—(3,154) (30c-40c-50c) 7 days. Gross: $7,700. (Average, $11,500)
"Keep 'Em Flying" (Univ.)
"Look Who's Laughing" (RKO)
FOX—(5,038) (30c-40c-50c) 7 days, 2nd week for "Flying." Gross: $15,100. (Average, $11,000)
"Suspicion" (RKO)
"One Foot in Heaven" (W. B.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,400. (Average, $4,000)
"South of Tahiti" (Univ.)
"Down Mexico Way" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,600. (Average, $2,600)

'Week-End' Garners $10,000 in Montreal

MONTREAL, Dec. 14.—"Week-End in Havana" at the Capitol topped local figures with $10,000. "Suspicion" at Loew's grossed $9,000.

Estimated receipts for the week ending Dec. 4:

"Sundown" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days, 2nd week. Gross: $3,300. (Average, $4,000)
"Suspicion" (RKO)
LOEW'S—(2,900) (35c-47c-67c) 7 days. Gross: $9,000. (Average, $7,000)
"Week-End in Havana" (20th-Fox)
"We Go Fast" (20th-Fox)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $10,000. (Average, $4,000)
"Shadow of the Thin Man" (M-G-M)
PALACE—(2,200) (30c-45c-62c) 7 days. Gross: $6,000. (Average, $7,000)
"Great Guns" (20th-Fox)
"Man at Large" (20th-Fox)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $5,000. (Average, $2,500)

Motion Pictures Leading Army Camp Entertainment

(*Continued from page 1*)

of the country has resulted in increased business to theatres located in nearby cities, and in some cases to the construction of new houses.

Indicative of the extent of Army camp film theatre patronage and the building of houses in industrial defense areas, are the following reports from various cities.

Tennessee Camp Has 4 Houses for 24,000 Men

NASHVILLE, Dec. 14.—Camp Forrest, 75 miles from here at Tullahoma, Tenn., accommodates 24,000 men, and has four film theatres giving two shows nightly, three on Sunday, and averaging three program changes weekly. Each house seats about 1,200, and the programs generally include features, shorts and newsreels. Admission is 20 cents, and 10 for children. Attendance is about 30,000 average weekly for the four houses, with each house having five program changes weekly.

In Tullahoma, Cumberland Amusement Co., affiliate of Crescent Amusement Co., is building a 1,000-seat house, scheduled to open Jan. 1, which will be the circuit's third house there, charging 25 and 30 cents top, with three changes weekly. Crescent is building a 1,000-seat house in suburban Nashville, near two defense housing projects, for the Vultee Aircraft plant. The house is expected to open March 1.

New Powder Plant Brings House to Town in Alabama

CHILDERSBURG, Ala., Dec. 14.—National defense has led to the establishment of the Coosa Theatre, a 1,200-seat house here, where the Government is building a $75,000,000 powder plant. It is a Martin house, uses current pictures and changes programs four times a week. Admission prices are 10, 15 and 25 cents for daytime and 10, 15 and 30 cents in evening. The show opens at 1 o'clock and is now giving a midnight show. Some 20,000 persons are engaged in building the powder plant.

Fort Des Moines Soldiers Attend Modern Theatre

DES MOINES, Dec. 14.—The Fort Des Moines Army post located just south of the city has an up-to-date motion picture theatre operated five nights a week, for the benefit of the men at the post. No shows are held on Mondays and Wednesday nights. The theatre seats 390 and only first-run pictures are shown.

There are approximately 450 permanent enlisted men at the Fort and the attendance each night at the theatre averages 300. Admissions are 20 cents cash or the men can buy $2 coupon books for $1.40 and $3 books for $2.10, thus enabling them to see a show for an admission of 14 cents. Lieut. James H. Coffin is manager, and Private W. H. Woodward his assistant.

1,000-Seat Theatre Used by Air Cadets at Sacramento

SACRAMENTO, Dec. 14.—Four thousand flying cadets stationed nearby at Mather Field, Government flying school, show a preference for Western films. The theatre seats 1,000.

Sacramento theatres report a continuation of the heavy business which started last Spring when the Army camp was established. The El Rey Theatre, operated by T. & D. Enterprises, is being rushed to completion after a fire. Blumenfeld circuit a month ago opened a 600-seat house, the Times, and has been doing consistently good business.

Minneapolis Arms Plant Results in New Theatre

MINNEAPOLIS, Dec. 14. — One new theatre is planned here because of defense work, at New Brighton, a suburb where a $30,000,000 small arms plant is being constructed. Construction has not yet begun on the house.

At Fort Snelling, bordering on the Minneapolis city limits, the Post theatre has operated for years. A 573-seat house, it operates at near capacity most of the time, changing pictures four times a week, with single-day runs Friday and Saturday. Runs are generally parallel to and in some case before, "A" runs in the Minneapolis loop. Single admission is 20 cents, but admission by ticket book comes to about 14 cents. Capt. J. A. Free is in charge, with operation by service men.

Theatres Function at 2 Army Camps Near Spokane

SPOKANE, Wash., Dec. 14. — Two new theatres are in operation at nearby Army camps. They are managed by the U. S. Army Motion Picture Service, with Army personnel operating them at extra pay. They are under the supervision of Lieut. W. T. Lockyer, base morale officer.

The one at Geiger field, air base, seats 388, and the other at Fort George Wright, 288. They are open seven nights a week from 6 to 10 P.M., with matinees Saturdays and Sundays. There are two shows per night. Programs consist of a single feature, newsreel and comedy. An occasional double feature bill is shown. Admission is 14 cents by coupon books, or 20 cents straight.

Martin Bomber Plant Is Expected to Boom Omaha

OMAHA, Dec. 14.—While the defense boom has just started to hit Omaha, there are no special theatres operating for that reason as yet. The Glenn L. Martin bomber plant, five miles south of South Omaha, is nearing completion and when in operation will hire 10,000 men.

A huge defense plant has just entered construction at Wahoo, west of Omaha, expected to benefit theatres at Wahoo and Fremont and also expected to mean the building of at least one other theatre at Wahoo.

Fort Oglethorpe's Two Houses Seat About 850

CHATTANOOGA, Tenn., Dec. 14.—Two houses accommodate the 6,000 troops at Fort Oglethorpe, Ga. The older, known as the Sixth Cavalry Theatre, seats 400, and the second, for the 65th Medical Regiment, seats 450, and was opened three months ago. Two shows are run seven nights weekly, 6:15 and 8 P.M., with program changes five times weekly. Double features are occasionally shown, and the films alternate between the houses.

Generally they are shown at the fort three months after local theatres. Soldiers pay 20 cents, or with coupon books, about 14 cents for admission. Programs include feature, shorts and newsreels. Comedies and cartoons are the favorites. The post is eight miles from here, with bus service bringing hundreds into the city daily to patronize the city's three first-run and 10 second-run houses. Recently the soldier patronage has been increased with Coast Guard officers and enlisted men in training at the new Coast Guard Depot at Lake Chickamauga, near here.

'Flying' Draws Good $11,600, Providence

PROVIDENCE, Dec. 14.—Four house were holding for a second week "Keep 'Em Flying" on a dual too $11,600 at the Majestic.

Estimated receipts for the wee ending Dec. 3-4:

"Suspicion" (RKO)
"Unexpected Uncle" (RKO)
RKO-ALB77—(2,239) (28c-39c-50c) 7 da 2nd week. Gross: $7,500. (Average, $6,
"Shadow of the Thin Man" (M-G-M)
"Miss Polly" (U.A.)
LOEW'S STATE—(3,232) (28c-39c-50c) days, 2nd week. Gross: $7,000. (Average $11,000)
"Keep 'Em Flying" (Univ.)
"Moonlight in Hawaii" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days 2nd week. Gross: $11,600. (Average, $7,000
"Skylark" (Para.)
"Buy Me That Town" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days Gross: $7,500. (Average, $6,000)
"Marry the Boss's Daughter" (20th-Fox
FAY'S—(1,800) (20c-33c-44c) 7 days. Stag show with Elisse Cooper and Her Rhythm Men; Emmett Oldfield; Jack McCoy Raymond Wilbert; Paul Winick and Edn Mae; Jnue Hart; Al Jahns orchestra Gross: $5,200. (Average, $5,000)
"Desperate Cargo" (P.R.C.)
METROPOLITAN—(3,045) (30c-39c-55c 75c) 4 days. Stage show with Bill Robinson, Jimmy Lunceford and Orchestra, James Young, Elmer Crumbley, Miller Brother & Lois, Velma Middleton. Gross: $8,500 (Average, $5,000)
"You Belong to Me" (Col.)
"Mystery Ship" (Col.)
Carlton—(1,526) (28c-39c-50c) 7 days, 2n week. Gross: $1,900. (Average, $3,500)
"Honky Tonk" (M-G-M) (3 days)
"Married Bachelor" (M-G-M) (3 days)
"Weekend in Havana" (20th-Fox) (4 days)
"International Lady" (U.A.) (4 days)
EMPIRE (1,200) (20c-28c) 2nd run. Gross $1,800. (Average, $1,800)

'Blues' at $19,400 Washington Gross

WASHINGTON, Dec. 14. — "Birth of the Blues," in conjunction with the usual vaudeville bill, did $19,400 at Warners' Earle.

Estimated receipts for the week ending Dec. 2-4:

"Nothing But the Truth" (Para.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $5,500. (Average, $3,500)
"Suspicion" (RKO)
RKO-KEITH'S—(1,834) (40c-55c) 6 days, 2nd week. Gross: 9,000. (Average, $7,500)
"Night of January 16" (Para) (4 days)
"They Died With Their Boots On" (W. B.) (3 days)
WARNERS' METROPOLITAN — (1,600) (28c-44c) Gross: $4,800. (Average, $4,000)
"Rise and Shine" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Jack Durant, Bobby May, Francis and Grey, Sue Read, Rockets. Gross: $14,000. (Average, $15,500)
"Birth of the Blues" (Para.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Don Arres, Helene Gardner, Briants, Alan Carney, Roxyettes. Gross: $19,400. (Average, $15,000)
"Shadow of the Thin Man" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $12,000. (Average, $12,000)

NBC Artists' Units Sold to 4 Executives

(Continued from page 1)

Levine, managing director of the NBC concert service.

Noran Kersta, now sales head for NBC television, will succeed Morton Gale manager of that division. The sale and Kersta's new assignment become effective Jan. 1. Disposal of the services follows criticism by the FCC in its monopoly report. CBS sold its corresponding services last August.

A new company will be formed, the National Concert and Artists Corp., with offices at 711 Fifth Avenue and branch offices in Chicago, Hollywood and San Francisco. Civic Concert Service will become a wholly-owned subsidiary of the new company.

In the new setup, Tuthill will be manager of the popular division; Levine will be in charge of the concert department; Bottorff will continue as president of the C.C.S. and Morton will become chairman of the board of the subsidiary.

Terms of the sale were not announced, although it is understood that the purchase price will be paid, at least in part, from profits from operations. Approximately 400 artists are involved in the deal. S. Hurok Attractions, Inc., which has given NBC exclusive booking rights to all concert artists managed by Hurok, will continue with the new company.

Screen Guild Show Renewed by Gulf Oil

Gulf Oil Co. has renewed "Screen Guild Theatre" through April 19 on CBS. Since the sponsor pays the Motion Picture Relief Fund $10,000 weekly and all performers contribute their services, the total contributed to the Fund will mount to $1,120,000.

President Will Have Censorship Right

(Continued from page 1)

necessitated by technological developments of the past quarter century.

It is probable also that quick action will be taken on draft legislation which will require the registering of all men between the ages of 18 and 65 and under which an Army of many milion men will be raised.

CBS, NBC Prepare Theatres for Raids

CBS and NBC have installed emergency equipment in their radio playhouses for blackouts and raids, it was revealed at the meeting of theatre managers at Loew's Ziegfeld Friday.

Two stretchers, cots for those who become ill, and an emergency supply of drinking water should the blackout be of great duration are provided. Ushers have white arm bands and are equipped with white-painted pails of sand. Dressing-room windows have been covered with opaque paint.

Off the Antenna

KNX, the CBS station in Hollywood, will stage a "full-dress rehearsal" blackout drill tonight. All glass brick walls have been covered with opaque paint and corridor windows have also been blacked out. The station will operate, during the rehearsal, on power from an emergency generator. On the assumption that telephone communication may be disrupted, the programs will be sent from studios to transmitter by short-wave radio, and the transmitter, too, will operate on power from an emergency unit. All activities within the studio will be conducted with light from candles and oil lamps.

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Purely Personal: *Richard G. Spencer, editor of the NBC-Red Network News, a publicity sheet, has been named photo editor and Sid Desfor has been named head photographer. . . . Irving Caesar, who has been composing and singing safety songs for children on WOR, is now writing tunes called "When You Hear the Sirens Blow." . . . Cliff Williams and Wayne Nelson have joined the WIND, Chicago, announcing staff.*

• • •

Mutual on Friday reduced operations to 18 hours daily.

• • •

WEAF and WJZ have set aside specific periods daily for the dissemination of information to the general public and volunteer workers on war problems. It is intended that by scheduling the periods in advance, workers will be able to tune in for instructions from any convenient radio set, without disrupting their regular schedules. On WEAF, the periods will be from 5:45-5:55 P.M., Mondays through Fridays; 5:00-5:05, Saturdays, and 11:45-11:50 A.M. Sundays. WJZ will broadcast these programs from 12:15-12:20 P.M. Mondays through Fridays; 6:25-6:30 P.M. Saturdays, and 11:10-11:15 A.M. Sundays. If necessary, it was added, Red and Blue network periods would be added.

• • •

Cecil H. Hackett, *WINS managing director, announced over the weekend that he had secured permission from all sponsors on the station for the insertion of defense bond announcements during commercial programs.*

• • •

NBC-Red over the weekend issued a new rate card. The card lists many technical improvements installed by Red affiliates. Costs are broken down by the zones and C. B. C. services are also shown. The new card is accompanied by a brochure.

Webs' Action Against FCC Off to Jan. 12

Trial of the injunction suit brought by CBS and NBC against the FCC to restrain enforcement of the new network rules was postponed Friday until Jan. 12 by a U. S. statutory court composed of Circuit Judge Learned Hand and Federal Judges Henry W. Goddard and John Bright. The trial was scheduled to start today.

The postponement, which was opposed by FCC Attorney Thomas E. Harris, was granted at the request of Charles Evans Hughes, Jr., attorney for CBS. Hughes explained he had been retained only three weeks ago and the sudden outbreak of the war had prevented any conferences with network officials. John T. Cahill, NBC attorney, joined in the request.

Harris asked that a stipulation signed previously, which postpones enforcement of the new network rules until a decision is reached in this case, be vacated. Harris asserted that the stipulation had been signed with the understanding that the case would proceed to trial on Dec. 15. However, the court denied this request.

Also denied was a request of the American Civil Liberties Union for permission to file a brief as a friend of the court. The ACLU is understood to favor the new rules because, in the organization's opinion, they will promote competition and therefore aid free speech.

NAB Asks Foreign Shows Be Continued

WASHINGTON, Dec. 14.—Continuance of foreign language broadcasts by American broadcasting stations was strongly advised over the weekend by the National Association of Broadcasters. To end them at this time would "tend to demoralize large segments of our population," a special NAB bulletin warned.

"We believe it is of greatest importance that these people, who can best be reached in languages other than English, be kept reliably informed of developments as well as entertained, lest they turn to short wave propaganda of the enemy," said the bulletin.

"A Government committee is investigating the subject. We expect the policy of the Government will be to continue foreign language broadcasts. Stations will be immediately informed of any developments."

In airing such programs, broadcasters were urged to follow these precautions:

Positive establishment of the integrity and loyalty of writers and announcers; a double check in advance of all translations; careful preservation of either script or recording of each broadcast.

The NAB pointed out that an estimated 15,000,000 persons can be reached most effectively by foreign language broadcasts. About 200 stations over the United States broadcast foreign language programs.

Heads Ottawa Cine Club

OTTAWA, Dec. 14.—Watson Balharrie has been elected chairman of the board of the Ottawa Cine Club. Directors are: Dr. R. Payfer, vice-chairman; Dr. W. G. McGregory, secretary-treasurer, H. Sedziak, and his son, Pearson Sedziak.

Open Kelly Field House

SAN ANTONIO, Dec. 14.—The completed Kelly Field Theatre has opened near here, with 1,038 seats



'York' Takes Good $21,000, Boston Lead

BOSTON, Dec. 14. — Grosses were only fair, with "Sergeant York" at the Metropolitan taking the lead with $21,000.

Estimated receipts for the week ending Dec. 3-5:

"Week-End for Three" (Univ.)
KEITH BOSTON—(2,697) (30c-40c-44c-55c-65c) 7 days. Vaudeville, including Martha Raye. Gross: $13,400. (Average, $8,000)
"Suspicion" (RKO)
"Moonlight in Hawaii" (Univ.)
KEITH MEMORIAL—(2,907) (30c-40c-44c-55c) 7 days, 2nd week. Gross: $16,000. Average, $16,000)
"Sergeant York" (W. B.)
METROPOLITAN—(4,367) (28c-44c-50c-75c) 7 days, at advanced prices. Gross: $21,000. (Average, $15,500)
"I Wake Up Screaming" (20th-Fox)
"We Go Fast" (20th-Fox)
PARAMOUNT—(1,797) (28c-30c-40c-55c) 7 days. Gross: $9,500. (Average, $7,500)
"I Wake Up Screaming" (20th-Fox)
"We Go Fast" (20th-Fox)
FENWAY—(1,320) (28c-30c-40c-44c-55c) 7 days. Gross: $4,800. (Average, $4,500)
"Birth of the Blues" (Para.)
"Among the Living" (Para.)
SCOLLAY—(2,500) (28c-30c-40c-44c-55c) 7 days, 3rd run. Gross: $3,900. (Average, $4,000)
"Shadow of the Thin Man" (M-G-M)
"Naval Academy" (Col.)
LOEW'S STATE—(3,600) (30c-40c-44c-55c) 7 days. Gross: $14,300. (Average, $12,000)
"Shadow of the Thin Man" (M-G-M)
"Naval Academy" (Colo.)
LOEW'S ORPHEUM—(2,900) (30c-40c-44c-55c) 7 days. Gross: $18,900. (Average, $17,500)

War News Dampens Baltimore Grosses

BALTIMORE, Dec. 14.—Business made a substantial start over the weekend until war news broke. Attendance then took a decided slump. "Keep 'Em Flying" took $9,000 at Keith's.

Estimated receipts for the week ending Dec. 11:

"Sundown" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $10,000. (Average, $10,000)
"Keep 'Em Flying" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $9,000. (Average, $8,000)
"Swamp Water" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $6,000. (Average. $7,000)
"Maltese Falcon" (W. B.)
STANLEY—(3,800) (15c-28c-39c-44c-55c) 7 days. Gross: $10,500. (Average, $12,000)
"The Men in Her Life" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show, including Milt Hertha Trio; Jerry Cooper. Gross: $13,000. (Average, $14,000)

'Glamour' and Show Lead in New Haven

NEW HAVEN, Dec. 14.—"Glamour Boy," plus a stage show featuring Jimmy Lunceford's band and Bill Robinson, drew $8,500 at the Paramount, comparatively the best gross.

Estimated receipts for the week ending Dec. 11:

"The Men in Her Life" (Col.)
"Texas" (Col.)
COLLEGE—(1,627) (40c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $2,700)
"Two-Faced Woman" (M-G-M)
"Man at Large" (20th-Fox)
LOEW-POLI—(3,005) (40c-50c) 7 days. Gross: $11,500. (Average, $8,000)
"Glamour Boy" (Para.)
PARAMOUNT—(2,373) (50c-65c) 7 days. Stage show: Lunceford band and Bill Robinson. Gross: $8,500. (Average, $4,500)
"Lydia" (U. A.)
"Parachute Battalion" (RKO)
ROGER SHERMAN—(2,076) (40c-50c) 7 days. Gross: $4,800. (Average, $5,000)

Review

"Red River Valley"

(Republic)

THE homecoming of Roy Rogers and his company of musicians (the Sons of the Pioneers) occasions a celebration in the town of Red River, during which outlaws in cahoots with one on the inside depart with the funds for the completion of the all-important dam. The plot, which is suspended at times for musical interludes by Rogers and company, is concerned with investigation of the matter and an assortment of battles and chases all leading to the capture of the persons responsible.

Splendid photography, a good job of direction, especially the staging of the action scenes, standard performances and nicely handled musical numbers combine to make "Red River Valley" effective entertainment for Western audiences.

The cast includes with Rogers and the "Pioneers" George "Gabby" Hayes, Sally Payne, Trevor Bardette, Gale Storm, Robert Homans and Hal Taliaferro. Joseph Kane was associate producer and director.

Running time, 62 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

Altec Closes Deal

Altec Service Corp. has closed a deal for sound and repair-replacement service with Intermountain Theatres at Salt Lake City, covering five theatres.

Blondin Rites Today

OTTAWA, Dec. 14.—Funeral services will be held here tomorrow for Emile Blondin, 48, ticket taker at the Francais Theatre, who died Thursday night.

'Flying' Draws Big $12,000, Milwaukee

MILWAUKEE, Dec. 14.—"Keep 'Em Flying" and "Father Takes a Wife" drew $12,000 at the Warner. Season's first cold wave cut grosses.

Estimated receipts for the week ending Dec. 10-12:

"Rise and Shine" (20th-Fox)
"The Parson of Panamint" (Para.)
PALACE—(2,400) (44c-55c) 7 days. Gross: $4,100. (Average, $4,000)
"You Belong to Me" (Col.)
"Great Guns" (20th-Fox)
STRAND—(1,400) (44c-55c) 7 days. Gross: $1,700. (Average, $1,500)
"Shadow of the Thin Man" (M-G-M)
"Small Town Deb" (20th-Fox)
WISCONSIN—(3,200) (44c-55c) 7 days. Gross: $7,500. (Average, $5,500)
"Citizen Kane" (RKO)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days, 2nd week. Stage: "The Gay 90's." Gross: $8,700. (Average, $6,500)
"Keep 'Em Flying" (Univ.)
"Father Takes a Wife" (RKO)
WARNER—(2,400) (33c-44c-55c) 9 days. Gross: $12,000. (Average, $4,500)

Richmond to Mono.

HOLLYWOOD, Dec. 14. — Ted Richmond, after producing five pictures for Producers Releasing Corp., has signed as a Monogram associate producer.



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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 118 NEW YORK, U.S.A., TUESDAY, DECEMBER 16, 1941 TEN CENTS

Open Defense Case in Minn. Criminal Trial

State Rests in First Day Of 5-Block Action

MINNEAPOLIS, Dec. 15.—With the opening of trial of criminal actions against Paramount, RKO and 20th Century-Fox for alleged violations of the Minnesota anti-block-of-five law here today the state completed its opening and the defense began its case.

Attorneys predicted that the defense would require two weeks to present their case and arrangements have been made with Judge Albin S. Pearson to continue through this week and then adjourn until after the holidays. The defense waived a jury trial.

In the court room at the opening of the trial were Herman Wobber, 20th Century-Fox general sales manager; Neil F. Agnew, vice-president and distribution head of Paramount; Colonel Jason Joy, 20th Century-Fox studio personnel head and scenario director; Louis Phillips, Paramount home office attorney; William Zim-

(*Continued on page 6*)

Schenck Appoints 'Dimes' Chairmen

National March of Dimes headquarters has been established in the Hotel Astor here, and Nicholas M. Schenck, national chairman of the film industry's committee for the 1942 drive, has completed the organization of state chairmen.

"The prompt and enthusiastic response encourages me to feel that our drive in January will be an outstanding success and a great factor in the fight against infantile paralysis," Schenck said.

C. C. Moskowitz, co-chairman of the film committee, announced yesterday that Clark Gable has volunteered his services in the making of the of-

(*Continued on page 6*)

St. Louis Clearance Complaint Dismissed

ST. LOUIS, Dec. 15.—The clearance complaint of Victor Thien, owner of the third-run Palm Theatre here, against Paramount and 20th Century-Fox, was dismissed in an award entered at the local board today by J. Wesley McAfee, arbitrator. The complaint was the first of record here.

In his opinion, McAfee held that the 21 days clearance of St. Louis

(*Continued on page 7*)

War Information Under FDR to Be Revamped, Report

WASHINGTON, Dec. 15.—A general shakeup of President Roosevelt's defense information setup to put it on a war basis is rumored here to be in the making, but officials who would be concerned tonight refused comment.

It is reported that in the reorganization John Hay Whitney, head of the film division of the Office of Coordinator of Inter-American affairs, would take over some of the duties of the Office of Facts and Figures, now headed by Archibald MacLeish, and that MacLeish would be given a new post.

No confirmation of these reports could be obtained tonight, but that a general shakeup of the defense information setup is in the offing appeared creditable in view of the possible censorship which may be adopted under the legislation now pending to revive the wartime powers of World War President Woodrow Wilson.

CBS Employes Get Salary Increases

All CBS employes earning up to $75 weekly have been granted automatic increases ranging from $104 to $221 annually, it was announced yesterady by William S. Paley, president. The increases will go into effect Jan. 4 and affect all employes except those covered by union agreements and those who have received salary adjustments since Oct. 1.

Each employe earning no more than $75 weekly will receive 10 per cent of the first $30 of his salary; 7½ per

(*Continued on page 7*)

Paramount Theatre Starts Raid Drills

In cooperation with the New York Civilian Defense organization, the New York Paramount, under the direction of Robert M. Weitman, managing director, has started intensive training of its staff of 160 to prepare for any emergency. Do's and Don'ts for the protection of patrons have been posted at strategic points in the theatre. Similar procedure will be followed at the theatres throughout the country owned directly by Paramount or affiliated with it, it was announced.

Radio Setup To Remain in Private Hands

WASHINGTON, Dec. 15.—Retention of broadcasting facilities in private hands and as little interference with their operation as possible is contemplated in the Administration's plan for war-time radio, it was asserted today by James L. Fly, chairman of the Defense Communications Board.

However, Fly said, the war will raise new and serious problems for the industry, and already has done so on the West Coast.

"I need not tell you that the DCB is simply not going into censorship,"

(*Continued on page 7*)

Test Raid for Newsreels Clears Broadway Quickly

By EUGENE ARNEEL

A test air raid alarm was sounded in the Times Square area of Manhattan at 10:10 A. M. yesterday and within three minutes the city's most congested thoroughfare — Broadway between 43rd and 46th Streets—was cleared of all pedestrians and vehicular traffic was brought to a standstill.

The drill was staged by the city expressly for the newsreels, the films designed to acquaint the public with the steps to be taken in the event of a raid. Cameramen were stationed in the Times Building awaiting the call.

The alarm took Broadway by sur-

(*Continued on page 6*)

Discuss Newsreel War Regulations

War time regulations for the newsreels were discussed officially for the first time yesterday at a meeting of heads of the reels with Col. Mason Wright of the Army Intelligence Department at the Hotel Warwick here.

The entire situation was canvassed in general discussions but no definite decisions were reached and no formal regulations were made known. Additional meetings will be held from time

(*Continued on page 6*)

Management Officials to Be On U.A. Board

Name Raftery Chairman; Hold Production Plans

HOLLYWOOD, Dec. 15.—United Artists owners have relinquished their places on the company's board of directors to management officials in order to concentrate on production activities, it was announced here today at the close of a four-day meeting of the owners and company executives.



Edward C. Raftery

Edward C. Raftery, president, was elected chairman of the board. Other new directors include Gradwell L. Sears, vice-president; Arthur W. Kelly, vice-president and chairman of the finance committee; Laudy Lawrence, vice-president and

(*Continued on page 6*)

B'way Gross Shows Slight Improvement

Broadway grosses showed a slight improvement over the weekend, indicating, say the theatre managers, that the public is gradually adjusting itself to the sudden change of events. Showmen yesterday expressed the belief that business will return to normal in time.

At the Paramount, the new Bing Crosby-Mary Martin musical, "Birth of the Blues," with Orrin Tucker's orchestra on the stage, grossed an estimated $20,000 Saturday and Sunday. Business for the first week which ends

(*Continued on page 3*)

Studios Inaugurate Daylight Operations

HOLLYWOOD, Dec. 15.—All studios, for the first time, today started at 8 A. M. and closed at 5 P. M., with no grumbling or effects on studio operations noted. The area continued in a partial blackout.

Warners zoned its studio and appointed air raid wardens to see that

(*Continued on page 6*)

Coast Flashes

Hollywood, Dec. 15

COLUMBIA announced today that cash bonuses in ratio to years of service will be paid employes volunteering for military service.

•

The final report of the film division of the Los Angeles Community Chest will be made by Louis B. Mayer, chairman, tomorrow noon at the Biltmore Hotel. Mayor Bowron and civic leaders will attend.

•

Edmund Goulding and a volunteer cast worked through Sunday to complete the fifth sequence of "Forever and a Day," which Sir Cedric Hardwicke is producing for American and British war charities. U. S. entry into the war has caused some script revisions. The start of the sixth and final sequence will follow completion of these changes. Additional talent will be enrolled, all contributing their services, and the roster will reportedly include virtually all marquee names in films.

•

Delegations from all studio art departments met tonight at the Academy of M. P. Arts and Sciences headquarters and conferred with Capt. George Hazenbush, commanding officer of the Camouflage Section, 604th Engineers. Voluntary collaboration by the industry for camouflaging aircraft plants, hangars and military objectives of all kinds in view of possible attack was discussed.

Personal Mention

HERMAN ROBBINS, head of National Screen Service, is a grandfather. A daughter, SUSAN, was born on Saturday at Woman's Hospital, to MRS. ALLAN ROBBINS, wife of the NSS executive's eldest son. It is their first child and ROBBIN'S first grandchild.

•

NAT RUBIN, manager of the Lyric, Bridgeport, Conn., has been called to Washington, where his mother is ill.

•

CHARLES STEPHENSON, veteran Canadian manager, has returned to the Century Theatre, Kitchener, Ont., after recovery from a long illness.

•

NAT COHEN, publicity director of the Weilland-Lewis Theatres, Atlantic City, has returned with his wife from a motor trip to Canada.

•

LOUIS LAVORGNE, projectionist at the Lincoln, New Haven, is the father of a boy, PAUL, born at St. Raphael's Hospital.

E. V. RICHARDS, president of Paramount - Richards Theatres, Inc., New Orleans, has turned over his two private yachts to the United States Coast Guard.

•

DAVE FLEISCHER has recovered from his injuries and plans to return to California next week.

•

A. L. PINDAT of Republic visited in Cincinnati over the weekend.

•

HUGH THORNTON, manager of Warners' Metropolitan Theatre, Chicago, is in the Provident Hospital there for a checkup.

•

MORTON GOLDSTEIN, after a period in the Army, has returned to the Columbia sales staff in Philadelphia.

•

MRS. HARRY WEINER, wife of the Columbia branch manager in Philadelphia, is recuperating after an operation at the Jewish Hospital, Philadelphia.

Israels Married To Ruth Goldstein

Carlos Israels, attorney, former counsel to Roxy Theatre security holders and unsecured bondholders of RKO, was married on Saturday to Ruth Goldstein.

The ceremony was attended by a small group of family and friends. The couple will reside in New York. Israels is now among counsel for Associated Gas and Electric Co.

Theatre Rally Nets $70,000 for Relief

One thousand persons representing all branches of the legitimate theatre at a rally at the Hudson Theatre yesterday heard speakers appeal for $100,000 to start the Theatre Wing War Service. A total of $70,000 was pledged by 140 of their number. The organization will coordinate all the theatre's war relief and other war activities. Rachel Crothers is president.

Pepper Lauds Film Efforts for Morale

PHILADELPHIA, Dec. 15.—United States Senator Claude Pepper of Florida last night lauded the motion picture industry "in arming America with a spiritual front for the struggle to come," in an address at the seventh annual banquet of the local Variety Club.

The banquet, at the Bellevue-Stratford Hotel, was attended by about 1,000 industry members. The part motion pictures are playing in building public morale also was extolled by Capt. Farrell Drew of the British warship *Manchester*.

All the speech-making carried a serious tone. Other speakers, all touching on the present emergency, included Federal Price Administrator Leon Henderson, Chief of Civilian Health Program John B. Kelly, Gov. Walter Bacon of Delaware, Mayor Bernard Samuels of Philadelphia, and William McCraw, former Attorney General of Texas. James J. Walker was toastmaster.

The highlight of the evening was the presentation of a $4,000 check to Dr. Alexander J. Stoddard, Superintendent of Public Schools, for use in the treatment of paralysis victims. The presentation was made by Edgar Mosenewly-elected chief barker.

Others on the dais included Joseph Bernard, ex-Governor Harold Hoffman of New Jersey, Harry Kalmine, Mayor George Brunner of Camden, N. J., Ted Schlanger, Mac Gordon, Abe Montague, Rev. Sylvester McCarthy, James P. Clark, William J. Clark, Postmaster Joseph J. Gallagher of Philadelphia, Paul Terry, Max Weisfeldt, Rube Jackter, Lou Astor, Arthur Silverstone and David E. Weshner. Rabbi Louis Wolsey pronounced the invocation.

Services Held for John O. Rohde, 4

OKLAHOMA CITY, Dec. 15.—Funeral services were held here today for John Otto Rohde, 48, Warner branch manager here, who died Saturday. He is survived by his widow and two children.

To Give Defense Bonds

Interboro Circuit, of which Samuel Strausberg is president, will give its Christmas presents in the form of defense bonds or stamps instead of cash this year.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
50th St. & 6th Ave.
LORETTA YOUNG
"THE MEN IN HER LIFE"
A Columbia Picture
ON STAGE: "DO YOU REMEMBER"—Russell Markert's bright colorful revue. Symphony Orchestra under the direction of Erno Rapee.
1st Mezzanine Seats Reserved Circle 6-4600

BING CROSBY MARY MARTIN
in Paramount's
"BIRTH OF THE BLUES"
IN PERSON ORRIN TUCKER and Band featuring WEE BONNIE BAKER
PARAMOUNT TIMES SQUARE

Jack OAKIE · George MURPHY · Milton BERLE
Linda DARNELL · Walter BRENNAN
'RISE and SHINE'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
STARTS TOMORROW
Cary Grant—Joan Fontaine
IN
"SUSPICION"

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

★ ★



5 SERVICES DAILY
VIA
THE SOUTHERN SUNSHINE ROUTE
TO
LOS ANGELES

THE MERCURY (Two Sections)	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	4:30 pm and 4:45 pm 1:28 am and 2:18 am 7:47 am and 8:47 am
THE PLAINSMAN	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	5:25 pm 2:55 am 9:47 am
THE SOUTHERNER	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	10:55 pm 8:52 am 4:02 pm
THE SUN COUNTRY SPECIAL	Lv. New York Ar. Dallas-Ft. Worth Ar. Los Angeles	6:30 am 4:58 pm 1:26 am

For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center; Airlines Terminal, 42nd Street at Park Avenue; Lobby, Hotel New Yorker.

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B'way Gross Shows Slight Improvement Some Key Cities Off

(Continued from page 1)

tonight is expected to reach an estimated $42,000. It continues.

The Radio City Music Hall show, "The Men in Her Life," with the stage presentation, brought an estimated $,000 Thursday through Sunday. The show will finish a week's run tomorrow night to be replaced Thursday by "H. M. Pulham, Esq." and the annual Christmas stage presentation. M-G-M's "Babes on Broadway" will be the Music Hall's New Year's attraction, scheduled to open Dec. 31.

'Rise and Shine,' $14,700

"Rise and Shine" in its second week at the Roxy with a stage show drew an estimated $14,700 Friday through Sunday. "Confirm or Deny" goes in Thursday. "Blues in the Night" and Count Basie's orchestra gave the Strand an estimated $19,500 Thursday through Sunday. The show starts a second week Thursday.

"The Feminine Touch" grossed an estimated $7,800 at the Capitol Thursday through Sunday and will be replaced Thursday by "Kathleen," the new Shirley Temple picture. "How Green Was My Valley," now in its seventh week at the Rivoli, garnered an estimated $9,200 Friday through Sunday.

At the Astor, "The Chocolate Soldier," also playing a seventh week, did an estimated $9,200 Friday through Sunday. "Swamp Water" brought the Globe an estimated $1,800 Saturday and Sunday and concludes its fifth and final week Friday night.

War Aggravates Pre-Christmas Slump

Reports from various sections of the county continued to indicate for the most part sharply depleted grosses as a result of the war and blackout situation, with the annual Christmas slump also a factor.

The blackout depression caused three houses in San Francisco to close. The legitimate Alcazar may reopen after the holidays, the subsequent run burlesque house, the President, has been closed indefinitely, and the California, Fox West Coast house, probably will reopen as the State after remodeling.

Nightly blackouts in the Pacific Northwest have been discontinued by the Army, with all theatres and radio stations resuming regular operation. However, theatre business remained well below normal levels over the weekend.

New Orleans houses reported a 20 per cent drop since the outbreak of war. A blackout test in Rochester found theatres prepared with all staffs instructed in procedure.

The usual pre-Christmas slump in the Cincinnati trade area has been accentuated this year by the war situation. Suburban and neighborhood houses have been most seriously affected, with reports ranging from a 20 to 60 per cent decrease to "business being demoralized." In Norwood, O., the closing of the Chevrolet and Fischer Body plants has resulted in declining grosses.

Business began picking up over the weekend in the Albany-Troy-Schenectady area, after having been as much as 60 to 75 per cent below normal.

Review

"Riot Squad"

(Monogram)

Hollywood, Dec. 15

MONOGRAM'S "Riot Squad" is a melodramatic story of a young doctor who joins a gang of criminals as their physician in order to trap them for the police. Due to his oath of secrecy he is unable to tell his fiancee of the plan and his private life becomes entangled with his public service.

Richard Cromwell enacts the role of the doctor; Rita Quigley, his fiancee; John Miljan, the leader of the gang, and Mary Ruth, a little girl whose actions supply some of the motivation. Others in the cast are Herbert Rawlinson, Mary Gordon, Donald Kerr, Jack C. Smith, Richard Clarke, Noel Cravat, Arthur Space and Spraky, the dog.

Edward Finney produced and directed the picture, he being hampered, along with the cast, by an inept screenplay and large portions of stilted dialogue replete with cliches. The title has little connection with the story.

Running time, 60 minutes. "G."* VANCE KING

*"G" denotes general classification.

'Suspicion' Holds Pace in Cleveland

CLEVELAND, Dec. 15.—"Two-Faced Woman" at Loew's State and "Suspicion" in its second week at the Allen shared honors here, earning $15,500 and $7,000 respectively.

Estimated receipts for the week ending Dec. 4-5:

"Suspicion" (RKO)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $7,000. (Average, $4,000)
"Keep 'Em Flying" (Univ.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $12,000. Average, $11,000)
"Yank in the R. A. F." (20th-Fox)
WARNERS' LAKE—(900) (33c-39c-47c) 7 days, 3rd week. Gross: $1,600. (Average, $1,500)
"Ladies in Retirement" (Col.)
RKO PALACE—(3,100) (40c-60c-55c) 7 days. Stage: Ella Fitzgerald's band, Four Ink Spots. Gross: $17,000. (Average, $15,000)
"Two-Faced Woman" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $15,500. (Average, $11,000)
"Shadow of the Thin Man" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)

Omaha Gives 'York' Good $9,700 Gross

OMAHA, Dec. 15.—At the Paramount "Sergeant York" grossed $9,700 at increased prices. The weather was clear and cold.

Estimated receipts for the week ending Dec. 10-11:

"Look Who's Laughing" (RKO)
"Lady Scarface" (RKO)
BRANDEIS — (1,200) (30c-44c) 7 days. Gross: $4,300. (Average, $4,000)
"Two-Faced Woman" (M-G-M)
"Man at Large" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,100. (Average, $6,000).
"Rise and Shine" (20th-Fox)
"Moon Over Her Shoulder" (20th-Fox)
ORPHEM—(3,000) (30c-44c) 7 days. Gross: $7,200. (Average, $7,000)
"Sergeant York" (W. B.)
PARAMOUNT—(3,000) (40c-55c) 7 days. Gross: $9,700. (Average, $6,000)

Para. Retires Last Of Debenture Issue

Paramount retired the last of its 3¼ per cent debentures last weekend by purchasing out of its excess cash $1,336,300 of the debentures which remained outstanding at the termination of the company's exchange offer.

During the exchange period, $11,344,700 of the debentures were offered in exchange for Paramount's new four per cent debentures due in 1957.

To Exempt British Studio Technicians

LONDON, Dec. 15.—The Ministry of Labor has agreed to accept the findings of the manpower committee on production personnel, which is expected to insure a protective minimum of technicians and labor for British studios.

The chief recommendation was that all technicians and skilled workers over 25 be exempt from military service, while certain classifications, where women may replace men, are open to negotiation. It was agreed that where possible women will be trained to replace men.

Approximately 400 key technicians of military age will be exempt. The Labor Ministry agreed also not to do anything which would reduce the present volume of production or total of personnel employed, but it is said this is open to revision if the demand becomes acute. The Ministry likewise will not condone the employment in the industry of women registered for war work. Producers and unions have indicated their satisfaction with the Ministry's position.

The manpower committee was appointed to investigate the actual personnel needs of the production branch of the industry following urgent trade pleas to the Government that the calling for military service of an unlimited number of technicians would seriously hamper the work of production.

Horne Publicity Staff To Handle USO Shows

The Hal Horne publicity organization has agreed to make available to USO—Camp Shows, Inc., members of its staff and its facilities for publicity and exploitation work on a non-profit basis, it was announced.

The organization will cooperate with Oscar Doob of Loew's who is serving as national director of public relations for USO—Camp Shows. The present publicity staff of the service entertainment organization will be transferred to Horne's headquarters.

USO—Camp Shows is completing arrangements for holiday entertainment at camp theatres, with all 11 touring shows to be used. Shortly after the first of the year some 15 additional shows will begin touring an added circuit of 150 camps, making a total of 215 camps served.

Studios Have 48 Pictures Now Shooting

HOLLYWOOD, Dec. 15.—Forty-eight pictures were before the cameras this week, as five were finished and nine started.

The tally by studio:

Columbia
Finished: "After the Alamo."
In Work: "Trinidad."
Started: "Blondie Greets a Guest," "Canal Zone."

Korda (U.A.)
In Work: "To Be or Not to Be."

M-G-M
In Work: "I Married an Angel," "Mrs. Miniver," "Rio Rita," "I'll Take Manila," "Out of the Past," "This Time for Keeps," "Tortilla Flat," "The Courtship of Andy Hardy," "Along came . . . Murder," (formerly "Then There Were Two.").

Monogram
Finished: "Man from Headquarters."
Started: "Below the Border," "Frontier Law."

Producers Releasing
Started: "Broadway Bigshot."

Paramount
In Work: "The Palm Beach Story," "Take a Letter, Darling," "Holiday Inn," "Mr. and Mrs. Cugat," "My Favorite Blonde," "American Empire," "Out of the Frying Pan," "This Gun for Hire."

RKO
In Work: "Powder Town," "The Mayor of 44th Street," "The Tuttles of Tahiti," "The Magnificent Ambersons," "Lum and Abner No. 2."

Republic
Finished: "Pardon My Stripes," "Cowboy Serenade."
In Work: "Riders of the Sunset Trail," "X Marks the Spot."

Roach (U.A.)
In Work: "Cubana."
Started: "About Face."

20th Century-Fox
Finished: "Roxie Hart."
In Work: "This Above All," "Rings on Her Fingers," "Moontide," "Not for Children," "Tales of Manhattan," "To the Shores of Tripoli."
Started: "The Night Before the Divorce."

Universal
In Work: "You're Telling Me" (formerly "Temporarily Yours.")
Started: "Drums of the Congo," "The Mystery of Marie Roget."

Warners
In Work: "Yankee Doodle Dandy," "In This Our Life," "Larceny, Inc.," "Juke Girl," "Arsenic and Old Lace."

'Gesture' Opens at Astor on Xmas Day

"The Shanghai Gesture," Arnold Pressburger production for United Artists release, will open at the Astor Theatre on Broadway on Christmas Day, it was announced yesterday by United Artists. The engagement will be on a continuous showing basis.

Rylander Joins Columbia

Al Rylander, formerly with the Tom Fizdale publicity organization, will join the Columbia exploitation staff assistant to Frank P. Rosenberg.

"FOR HEAVENS KEEP

KEEP 'EM LAUGHING... and you'll ke

COLUMBIA is happy to contribute impr

FREDRIC MARCH



IN

BEDTIME

WITH ROBERT BENCHLEY

Screen play by Richard Flournoy · Story by Horace Jackson and Grant Garrett · Directed by ALEXAND

SAKE, LAUGHING!"

—Mrs. Franklin D. Roosevelt

n working...fighting... WINNING!

ly to LAUGHTER...with a GREAT COMEDY!



LORETTA YOUNG

E STORY

ALLYN JOSLYN ★ EVE ARDEN ★ HELEN WESTLEY

ALL

Produced by B. P. SCHULBERG · A COLUMBIA PICTURE

Management Officials to Be On U.A. Board

(Continued from page 1)

executive coordinator, and George Bagnall, vice-president and chairman of the product committee. Harry Buckley and Harry Gold were not re-elected vice-presidents.

Suspend Production Plan

At the same time, it was announced that the company has suspended its plans for actively participating in production itself, but that United Artists Productions, Inc., successor to the Walter Wanger company, will continue to be available for production setups such as the current Ernst Lubitsch filming of "To Be or Not to Be."

The product committee was made a "permanent part of the United Artists organization" and will handle all deals for United Artists release. In addition to Bagnall, members of the committee are Kelly, and attorneys Daniel T. O'Shea and Loyd Wright. Headquarters will be maintained here and Kelly will divide his time between here and New York integrating production and release schedules.

Reports Six Deals

Raftery disclosed that the committee has "six important deals near completion" but would not disclose with whom.

The four company owners, Mary Pickford, David O. Selznick, Alexander Korda and Charles Chaplin, attended the meeting. The owners stated that they would not interfere with the new board and that operating control would be in the hands of the management.

Raftery, in addition to being chairman of the board and president, is general counsel of United Artists and attorney for Miss Pickford. Lawrence has been associated with Selznick; Kelly is looked upon as representing Chaplin, and Bagnall is associated with Korda.

Raftery, Sears and Kelly plan to leave for New York by train on Thursday.

Industry Mindful Of War Task: Hays

CHICAGO, Dec. 15.—"The motion picture industry is not unmindful of its responsibility in these days of tense nerves and all-out effort," Will H. Hays told the Indiana Society of Chicago at its annual dinner at the Stevens hotel here last weekend. Hays was guest of honor at the affair.

"With the mental, physical and spiritual health of so many at stake," Hays said, "the inevitable interference with normal life brings new entertainment problems as well as the other social problems. The screen, nurtured in freedom, recognizes its obligation to freedom, and, as the principal amusement of all the people, I declare its determined purpose to make certain the continual flow of the films so vitally necessary to military and civilian morale in the efforts for total defense."

Test Raid for Newsreels Clears Broadway Quickly

(Continued from page 1)

prise. At 9:55 a police sound truck instructed air raid wardens—about 150 policemen and 60 firemen served in that capacity—to hold themselves in readiness. Fifteen minutes later the sirens whined, the wardens rushed to their posts and directed the thousands of passers-by and the occupants of the curbed buses and automobiles to office buildings and theatres. Over 200 marched into the lounge of the Paramount Theatre. Police and fire emergency trucks also came on the scene.

Two-Minute Halt

Visible on Broadway were only those working in an official capacity. After a period of about two minutes the "all clear" was heard and the corralled civilians released themselves.

Although the drill was planned to include only persons in the streets, the personnel in some buildings, including Loew's home office at 1540 Broadway, reportedly moved to the center floors in compliance with the regular air raid instructions.

The demonstration was repeated about a half hour later and was pronounced even more successful than the first. A similar demonstration took place in the Gramercy Park vicinity.

Bars Blackout Plan

Meanwhile a plan to have a simulteneous blackout in all theatres in the city was drawn up by the Stagehands' Theatrical Protective Union. The plan was to have been submitted to the Police Commissioner's office for approval but late yesterday a spokesman at the office said that it had not been received. Without consulting either the Mayor's or Commissioner's office, the union had arranged for a test blackout Saturday night in a legitimate house on West 45th Street. Commissioner Valentine, however, turned thumbs down on the plan since it did not have official approval.

A meeting of Times Square air raid wardens was held last night at the Hotel Astor. Robert Christenberry, zone warden; Ed Sullivan and Robert M. Weitman, managing director of the Paramount, addressed the gathering.

Schenck Appoints State Chairmen of 'March of Dimes'

(Continued from page 1)

ficial trailer, under the supervision of Frank Whitbeck.

The state chairmen include: R. B. Wilby, Alabama and Georgia; Harry Nace, Arizona; M. A. Lightman, Arkansas; Robert H. Poole, Charles Skouras, A. M. Bowles, California; Rick Ricketson, Colorado; I. J. Hoffman, Connecticut; Carter Barron, Delaware and District of Columbia; M. C. Moore, Florida; Oscar Lam, Georgia; I. H. Harris, Idaho; Jack Kirsch, Illinois; A. H. Blank, Iowa and Nebraska; Elmer C. Rhoden, Kansas; Fred Dolle, Kentucky; Martin J. Mullin, Maine, Massachusetts, New Hampshire and Vermont; E. V. Richards, Louisiana; Sidney Lust, Maryland; J. O. Brooks, Paul Schlossman, Michigan; Edward Ruben, Minnesota; R. X. Williams, Mississippi; Harry Arthur, Missouri; Joseph English, A. M. Russell, E. K. Taylor, Stewart North, Montana.

Others Appointed

Mike Naify, Nevada; Walter Reade, Don Jacocks, New Jersey; Miles L. Hurley, New Mexico; Fred J. Schwartz, Myer Schine, Charles Hayman, New York; H. F. Kincey, North Carolina; Mike Cooper, North Dakota; P. J. Wood, Ohio; L. C. Griffith, Oklahoma; Albert J. Finke, Oregon; Ted Schlanger, M. A. Rosenberg, Sidney Samuelson, Pennsylvania; Moe Silver, Pennsylvania and West Virginia; E. M. Fay, Rhode Island; H. R. Berry, George Parr, South Carolina; Charles Klein, South Dakota; Tony Sudekum, Tennessee; Julius Gordon, R. J. O'Donnell, Texas; John Rugar, Utah; W. F. Crockett, Virginia; Frank Newman, Sr., Washington; Harold Fitzgerald, Wisconsin; E. J. Schulte, Wyoming.

Discuss Newsreel War Regulations

(Continued from page 1)

to time as official regulations are decided upon.

The reels were asked to provide Colonel Wright with data on all cameramen and, pending the issuance of special Army passes or the assignment of cameramen to action zones, each man will be investigated by the Intelligence Department, it is understood. It was indicated that a maximum of two cameramen might be permitted on assignments in action zones and that their material would be turned over to the Intelligence Department for scrutiny prior to release. The pooling of all war footage with its simultaneous release to all reels by the Government, as is done in Great Britain, was also mentioned as a possibility. However, no final regulations have yet been placed in effect.

What material, if any, obtained by cameraman in the Pacific will, of course, be subject to Government censorship prior to release.

New Jersey Allied Meeting Thursday

A meeting of the New Jersey Allied board of directors and another of the entire membership will be held Thursday at the Stacey Trent Hotel, Trenton, for the regular periodic discussions of industry matters including air raid percautions in theatres and the all-industry unity meeting in Chicago last week. Harry H. Lowenstein, president, will preside.

In the evening the members will visit Mrs. Helen Hildinger s new Mayfair Theatre in that city, which is scheduled to open on that day. The house, closed for years, was formerly the Orpheum.

Benefit Group Formed

MERIDEN, CONN., Dec. 15.—Stage Employes and Moving Picture Operators Benefit Association of Meriden has filed articles of association with the Secretary of State, naming John T. McGlew as agent.

Open Defense Case in Minn. Criminal Tria

(Continued from page 1)

merman, RKO home office attorney and Frederick Lorenzen and Jame Kennedy, New York counsel for Century-Fox. The defendants represented also by Joseph Finley, S Paul attorney, and David Shearer Minneapolis.

Ben Blotcky, Paramount Minne apolis branch manager, took the stan first and admitted entering into a dea with David Ratner, operator of theatre at White Bear, Minn., for th leasing of a block of five picture without cancellation rights.

Cancellation in Law

A violation is charged in that th Minnesota law specifies an entire sea son's product must be sold in a singl block with a 20 per cent cancellatio right.

L. E. Goldhammer, RKO branc manager here, also admitted he ha sold Ratner two blocks of five picture each. Ratner admitted receiving th contract. Both Goldhammer an Blotcky admitted they knew the companies would release other pic tures during the season.

Jack Cohan, 20th Century - Fo salesman here, admitted having sold block of five pictures to Theodor Hamm, operator of the Gem and Os ford, St. Paul. All testified that th sales were made in accordance wit the provisions of the Federal conse decree before any of the companie had been granted court relief permit ting them to sell in Minnesota unde the terms of the state law.

Perfunctory Questions

Questioning in all instances wa more or less perfunctory and for th record, since the actions admitted are test cases.

Shearer began the opening statemen for the defense late today, saying h hoped to prove that the state law unconstitutional and in restraint trade, and that his clients are no guilty, therefore. On the conclusio of his statement, the long task of tak ing defense testimony will begin.

A civil action in which six distribu tors are seeking a permanent injunc tion against enforcement of the stat law has been set down for trial nex February.

Studios Inaugurate Daylight Operation

(Continued from page 1)

workers in each of four zones retir to bomb shelters at the alert.

B. V. Sturdivant, Fox West Coas executive, has formed the Theatre De fense Bureau, on assignment from th Office of Civilian Defense with com plete surveillance over theatres, bow ing alleys, ballrooms and other place of amusement, for protection of pa trons during blackouts, alerts and ai raids. All amusements are represente in the bureau.

Screen Writers and Publicists an Radio Writers' guilds' representative met tonight with Randolph Van Nos strand, head of the Defense Counc public information bureau, to plan program to educate the public in de fense measures.

ap Attack Brings Record Radio Use

The highest number of "sets-in-use" er recorded for an entire evening by E. Hooper, was set during the eve- ng of Dec. 7, the day the Japanese ttacked Honolulu, it was reported esterday. The figure, 47 per cent, mpares with 39 per cent set for the mparable Sunday last year and the ral seasonal average of 36.6 per set during the Sundays in No- ber of this year.

Edgar Bergen and Walter Winchell ed with ratings of 29.9 per cent as e most popular evening programs of ovember, with Bob Hope third, rat- g 28.8, and Fibber McGee & Molly urth, 28.7.

The remaining 11 of the first 15 ere "Aldrich Family," 27.8; Jack enny, 27.1; "Lux Radio Theatre," 7.1; "Maxwell House Coffee Time," 3.7; Major Bowes, 18.9; "Fitch andwagon," 18.8; "Take It or Leave ," 18.5; "One Man's Family," 18.4; Time to Smile," 18.3; Kay Kyser's College of Musical Knowledge," 8.2, and Orson Welles, 17.8. Red kelton, with 22.3 per cent, continues lead among shows not covered on a ational basis.

A Crossley survey made for WOR howed that listening jumped "at least 0 per cent" in metropolitan New ork on the afternoon of Dec. 7, Jos- ph Creamer, head of WOR's promo- on department, stated yesterday.

Canada Board Hears Pleas on Music Fees

OTTAWA, Dec. 15.—Judgment was eserved after hearing today by the opyright Appeal Board after argu- ent against proposed music licenses or coin-operated music machines and lm projectors used for commercial urposes.

Formal announcement was made hat Canadian broadcasters have eached an agreement with the Can- dian Performing Rights Society and MI Canada, Ltd., to continue next ear the 1941 copyright payment ba- is, as was revealed earlier. The resent rate is eight cents per set to he Society and one cent to BMI.

CBS Employes Get Salary Increases

(Continued from page 1)

ent of the next $10, and five per cent f the next $10. Thus a person earn- ng $25 will receive an additional $2.50 eekly, while one earning $50 to $75 ill receive an additional $4.25 weekly.

Paley explained that the raise was esigned to help employes in the mod- rate salary range meet the rising cost f living. He explained that past, resent and future relations with un- ons justified allowing "our relations ith unionized employes to remain ithin the existing framework of such elations."

St. Louis Clearance Complaint Dismissed

(Continued from page 1)

Amusement Company's Union Theatre ver the Palm, and the seven days learance of the same circuit's Aubert ver the Palm are not unreasonable. he complainant had asked for the limination of the Aubert's clearance nd a reduction of the Union's clear- nce.

Off the Antenna

WITH war news somewhat slackened, CBS and NBC shut down the network at 3 o'clock this morning. WEAF, WJZ and others on the network, however, continued to operate on a 24-hour basis. WEAF, on Sunday morning, was forced to remain off the air for 59 minutes because the strain of continuous operation blew a tube in the transmitter.

• • •

Purely Personal: *Albert A. Grobe, former manager of the N. Y. Broadcasting System (WINS) and radio director of Mayor LaGuardia's recent campaign, has joined WQXR as night program manager and newscaster. . . . Wythe Williams has joined WHN as commentator. . . . Gregor Ziemer, WLW, Cincinnati, newscaster, will be guest speaker at the weekly luncheon of the Radio Executives Club tomorrow. . . . Jack H. Kerrigan, WHO, Des Moines, announcer, is the father of a girl.*

• • •

WHOM, which broadcasts in eight foreign languages, has begun making this announcement with the call letters each hour: "WHOM is owned and operated by American citizens, and broadcasting American programs in foreign languages with the knowledge and encouragement of the United States Defense Communications Board."

• • •

First renewal since the outbreak of war was signed yesterday by CBS when Liggett & Myers Tobacco renewed Glenn Miller's thrice-weekly musical program over 99 stations for the full 1942 season. "The Missus Goes A-Shopping" on WABC Mondays through Saturdays was also renewed by both its sponsors, with Pepsi-Cola Co. renewing the Monday, Wednesday and Friday periods, and John Morrell & Co., the Tuesday, Thursday and Saturday periods.

• • •

CBS yesterday *assigned air-raid wardens, alternates and assistants, for each of the 23 floors of its main building and for each of its studio and theatre buildings. Most of those appointed had previously been selected as wardens in their home neighborhoods.*

• • •

In the formal announcement yesterday of the appointment of Noran E. Kersta as manager of NBC television (reported in yesterday's "Motion Picture Daily") it was stated that "Plans for NBC television include extension of television service to Philadelphia and Washington during 1942."

Radio Setup To Remain in Private Hands

(Continued from page 1)

he said. "That is not its job and it has no plans and no desire to go into it. The same is true of the FCC. We are seeking only to get communications generally in a state of military preparedness."

Broadcasters should not become unduly alarmed, he added. So far, he said, "they have done a fine job."

Fly refused to speculate regarding the immediate future of television, explaining that so far no definite plans had been developed for any branch of radio. At best, however, he indicated, there can be but a "nucleus" of the nationwide commercial service toward which the industry has been working.

Asked whether there would be any change in the monopoly situation as a result of the war, Fly said the easiest solution would be for the chains to accept the new rules and notify their affiliates accordingly.

Kanin to Address Defense Meeting

Garson Kanin, Office of Emergency Management film consultant, will be one of the speakers at the first meeting of the M. P. Emergency Defense Conference, a New York group called together by the Screen Publicists Guild, it was announced yesterday. The meeting will be held Friday evening at the Hotel Piccadilly.

Warner Zone Heads To Meet Here Today

Harry Kalmine, assistant general manager of Warner Theatres, will preside at a home office meeting of zone managers today, the first since he took over his post.

Attending will be the following zone managers: James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; C. J. Latta, Albany; Ted Schlanger, Philadelphia; M. A. Silver, Pittsburgh; John J. Payette, Washington; and Howard Waugh, Memphis.

Home office executives participating will include: Clayton Bond, Harry Goldberg, Leonard Schlesinger, Frank Phelps, Sam E. Morris, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louis Kaufman, Herman Maier and Frank Cahill.

Harley, Kane Unable To Get Passage Here

Francis L. Harley, 20th Century-Fox managing director for Great Britain, and Robert Kane, head of the company's British production, were unable to leave Lisbon for New York last week when the *Excambion*, on which they were to have sailed, was held in port.

It has been reported here that the Portuguese Embassy has cancelled visas for civilian travelers between London and Lisbon. However, one Portuguese and one Spanish steamship line still are operating to New York. The 20th Century-Fox home office has not been advised of Harley's and Kane's plans. They had expected to arrive here before Christmas.



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Realignment of RKO Effected By Schaefer

Rathvon V.-P.; Kingsberg, Goldberg in New Posts

George J. Schaefer, president of RKO, yesterday announced the first steps in his plan for realignment of the RKO organization. He announced that N. Peter Rathvon, who has been chairman of the executive committee, has been elected a vice-president of the parent company, and that Malcolm Kingsberg will be elected president of all RKO theatre subsidiaries in addition to continuing as executive vice-president of Keith-Albee-

(Continued on page 4)



George J. Schaefer

Balaban Is Named Dimes Co-Chairman

Barney Balaban, president of Paramount, has accepted the post of co-chairman with Nicholas M. Schenck on the national Motion Pictures Committee for the 1942 March of Dimes campaign.

Others on the national film committee are C. C. Moskowitz, Joseph Bernhard, Spyros Skouras and Oscar Doob.

Harry Brandt, president of the ITOA of New York and co-chairman of the drive, has established headquarters for the film committee of the campaign at the Hotel Astor.

Ampa Testimonial To Hays in March

Ampa will sponsor an industry-wide testimonial dinner to Will H. Hays, commemorating his 20th anniversary in the industry, Vincent Trotta. Ampa president, announced yesterday.

The dinner will be held at the Waldorf-Astoria, next March 6.

(Continued on page 8)

Defense Testimony Starts in Minnesota Case, Joy a Witness

ST. PAUL, Dec. 16.—Defense attorneys in the State's criminal actions against Paramount, RKO and 20th Century-Fox today began laying an elaborate background for its contention that the Minnesota anti-block-of-five law, which the companies are accused of violating, is unconstitutional. This was the second day of trial in Ramsey County District Court here.

After long opening statements by David Shearer and Joseph Finley, defense counsel, the defense began its testimony. Col. Jason Joy, 20th Century-Fox studio personnel head and scenario director, was the first witness. He testified that the industry operates under its own code, is self-

(Continued on page 4)

Loew's Minn. Escape Plea in Court Today

Federal Judge Henry W. Goddard will hear Loew's application today for a release from the trade show and block-of-five sales provisions of the consent decree to permit the company to resume selling in Minnesota.

The application was filed yesterday. Judge Goddard set the hearing to be held immediately following the one on

(Continued on page 4)

U.S. TO CENSOR COMMUNICATIONS

M.P. Defense Unit Now War Activity Group

The industry committee for national defense has changed its name to the War Activities Committee — Motion Picture Industry, and Francis S. Harmon has resigned from the MPPDA to serve as a full-time executive for the committee, it was announced yesterday by George J. Schaefer, chairman. The announcement, for release today, follows:

"George J. Schaefer, chairman of the coordinating committee of the Motion Picture Committee Cooperating for National Defense, announced yesterday in behalf of the committee a change in title. The committee hereafter will be known as War Activities Committee—Motion Picture Industry.

"It also was announced that in view of changed conditions the committee has decided to appoint a full-time executive to the work of coordinating the industry's war activities under the direction of the executive

(Continued on page 4)

Radio, Cables Affected; President Expects Voluntary Effort

WASHINGTON, Dec. 16.—Censorship of radio, cables and other media of communication was imposed tonight by President Roosevelt.

Motion pictures were not mentioned specifically in the President's announcement. Observers believe that, except for newsreels, the regulations may not apply to films, since the orders are definitely directed at communications carrying vital information.

Byron Price, executive news editor of the Associated Press, on leave from that organization, was named director of censorship, responsible directly to the President.

Admitting that censorship is abhorrent to all Americans, the President declared that the experience of the past few years has demonstrated that it is necessary in war time, adding, "and we are at war."

So far as domestic radio is concerned, he indicated, a voluntary cen-

(Continued on page 7)

Far East 55% 'Normal,' Offices Are Functioning

While fragmentary reports to home offices indicate that business in the Far East is running at about 55 per cent of normal, on an over-all average, "business as usual in Shanghai" was the word received at Universal's home office foreign department yesterday from Robert Perkins of the company's Far Eastern staff.

James Perkins, Paramount supervisor in the Orient, and father of the Universal representative, also reported to John Hicks, Paramount vice-president and foreign manager, yesterday that the company's office and personnel in Manila have escaped Japanese bombings and are still servicing theatres there.

Universal has now received word from all of its representatives in the Far East, except one at Hong Kong,

(Continued on page 4)

French Film Supply In Montreal Gone

MONTREAL, Dec. 16.—The supply of French films available for French Canadians here, which a year ago was thought to be enough for two years, has dwindled to nothing, and the effect of the shortage has been felt.

France Film, operating French language houses here, has closed the Cinema de Paris, and other lesser houses are showing revivals, alternating with legitimate shows. The Cinema de Paris, seating 464, on Dec. 26 will reopen as a newsreel house, the first in Canada, and is expected to be open from 9 A.M. to midnight, charging 20 or 25 cents at all times. It is being taken over by Consolidated Theatres, according to report.

Canada Prohibiting New Year Price Rise

TORONTO, Dec. 16.—The War Time Prices and Trade Board today issued a ruling prohibiting Canadian theatres from increasing prices for special New Year's Eve performances and from passing along to the public the 20 per cent Federal amuse-

(Continued on page 4)

Studio Workers Give $475,826 to L. A. Fund

Hollywood, Dec. 16.—A total of $475,826 was contributed by 30,000 studio workers to the Los Angeles Community Chest, according to a report of the Motion Picture Division today. Last year $467,062 was contributed. The report was made at ceremonies at noon in the Biltmore Bowl as the highlight of a half-hour broadcast in which Edward Arnold acted for Chairman Louis B. Mayer, who is ill.

Coast Flashes

Hollywood, Dec. 16

PARAMOUNT today took extraordinary precautions to preserve property and lives in the event of bombings. Measures taken were designation of various basements as air raid shelters, filling of studio water tanks to capacity for fire fighting, distribution of sand around the lot and installation of alarm equipment. Blackout window coverings were placed about the lot in departments which might be used at night.

•

ITO of Southern California and Arizona will meet Friday to hear a report by Robert H. Poole, executive secretary, and Jack Y. Berman, trustee, who attended the recent industry unity meeting in Chicago.

•

Monogram studio executives headed by W. Ray Johnston, president, and Trem Carr, production chief, left tonight for a franchise holders' meeting in Chicago, Dec. 19 to 21. The 1942-'43 program will be discussed.

•

Lou Harris, in charge of trailers at the Paramount studio, today was appointed Cecil B. DeMille's associate producer.

Commons Approves Reduction in Quota

LONDON, Dec. 16.—The House of Commons today formally approved the recent reductions in the exhibitor and distributor quotas by 2½ per cent each, to 15 per cent for exhibitors and 20 per cent for distributors. The change, recommended by the Board of Trade, was approved by the House of Lords last week.



FLY to LOS ANGELES

over the

BUSINESS ROUTE

of the NATION

More passengers, mail and express fly United's central, year 'round Main Line Airway than any other coast-to-coast air route. 4 Mainliners to Los Angeles daily.

UNITED AIR LINES

Airlines Terminal:
80 E. 42nd St.
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Hotel Pennsylvania
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or travel agents, hotels

Personal Mention

JULIUS GORDON, circuit operator of Beaumont, Tex., is expected in New York today.

•

A. M. BOTSFORD and MORRIS KINZLER left the Coast yesterday for New York.

•

EARL HUDSON, president of United Detroit Theatres, and JACK KEEGAN were in town yesterday.

•

LEONARD GOLDENSON and LEON NETTER have returned from Boston.

•

IRVING MARTIN, publicity chief of the Stanley, Baltimore, plans to spend the weekend with his family in Richmond.

•

HERBERT LUBIN, manager of the Landis, Vineland, N. J., is on the general executive committee of the defense council of Vineland.

•

WALTER THIMMING, owner of the McNair, St. Louis, is ill.

•

NICHOLAS MARLEMES, who sold his interest in the Roxy, New Britain, Conn., has gone to Florida to live.

•

MURRAY GREENFIELD of Loew's has enlisted in the Army.

I. M. RAPPAPORT, owner of the Hippodrome, Baltimore, is a New York visitor.

•

RUBE JACKTER plans to leave for Charlotte tonight.

•

JOSEPH SEIDELMAN, Universal vice-president and foreign manager, is scheduled to arrive from South America by plane on Friday.

•

JOHN W. ROGERS is in town from the Coast.

•

BEN ROBINS, United Artists branch manager in St. Louis, and F. J. KAISER, salesman, were injured in a collision in Tennessee last week, but are recovering.

•

SHIRLEY SMITH, secretary to LES KAUFMAN, head of the Fanchon & Marco advertising department in St. Louis, and DON NORLING, manager of the West End Theatre, will be married soon.

•

ROBERT RYDER of Fanchon & Marco, St. Louis, is the father of a daughter.

•

OTIS COWAN, manager of the Wareham, Manhattan, Kan., has joined the Army.

Air Raid Signals Test at 4 P. M.

When you hear a series of short siren blasts at 4 P. M. today, don't be alarmed. New York City's new air raid master signal system will be tested, for 15 minutes. At 4:15 all local sirens will be tested. It is expected that theatre managers will reassure their audiences, as instructed. In the event of a real alarm, all sirens will blast continuously.

Paramount Theatre Stresses Relaxation

The New York Paramount Theatre today and tomorrow will run in all New York daily papers large display ads pointing out the importance of entertainment as a means of maintaining citizen morale.

The ads, signed by Robert M. Weitman, managing director, are being supplemented with trailers, also stressing the value of entertainment, and urging the importance of relaxation.

Heads Variety Legion

PITTSBURGH, Dec. 16.—C. C. Kellenberg, retiring chief barker, has been elected commander of Variety Legion Post 589. Other officers are Brian McDonald, senior vice-commander, new chief barker Joseph Hiller, junior vice-commander, James G. Balmer, adjutant, Joseph Misrach, finance officer, and Archie Fineman, sergeant-at-arms.

William Humphrey Dies

William P. Humphrey, managing director of the British Colonial Film Exchange, Inc., died last week at his home at Port-of-Spain, Trinidad, according to word received here.

Brylawski in OPM On Film Priorities

WASHINGTON, Dec. 16.—OPM officials disclosed today that A. Julian Brylawski, MPTOA vice-president, has been appointed to an important post in the priorities division, and made responsible for all priorities for the motion picture industry.

It was revealed that Brylawski was approached more than a month ago with a suggestion that he undertake this work, and yesterday joined the staff of Donald M. Nelson, director of priorities. Brylawski will be in charge of the application of priorities on critical materials needed by studios, exchanges and theatres, it was stated.

Metro Screenings Set on Six Pictures

M-G-M yesterday set trade screenings on six new pictures, to be shown in exchanges during January. The films and the screening dates are: "Woman of the Year" and "Joe Smith, American," Jan. 13; "China Caravan" and "We Were Dancing," Jan. 14; "Born to Sing" and "Out of the Past," Jan. 20. The first two will be shown in New York only on Jan. 6 and the second two here Jan. 13.

John Comerford, 80, Dies in Los Angeles

SCRANTON, PA., Dec. 16.—Word was received here that John Comerford, 80, oldest brother of the late M. E. Comerford, founder of the Comerford Circuit, died last week at his home in Los Angeles. He was an uncle of Postmaster General Frank C. Walker and John T. Comerford, district manager for the circuit. He is survived by two daughters and a sister.

Newsreel Parade

FILMS of the Times Square a raid demonstration are present in the midweek issues along with var ous other subjects dealing with t war. Secretary Knox' Hawaii repo is included. Here are the contents:

MOVIETONE NEWS, NO. 29—Knox Pearl Harbor. Pacific Fleet at sea. M chant marine gunners trained in Virgi Tank production in Montreal. Health girl and boy in Chicago. Christmas to LaGuardia on air raids; Times Squa test.

NEWS OF THE DAY, NO. 227—Kn delivers Pearl Harbor report. Broadw air alarm. Latin America declares w Litvinoff in Washington. Subject on U. Marines. Bears and Packers football gan

PARAMOUNT NEWS, NO. 32—Ame cas unite against Japan. British equipme in Turkey. West Coast prepares. Tim Square cleared in raid drill. Bobby Fel and Hank Greenberg enlist.

RKO PATHE NEWS, NO. 32—Germa and Italy declare war; Knox reports, Was ington on war basis. Civilian defense West Coast. Raid drill in Times Squa

UNIVERSAL NEWSREEL, NO. 4 Knox tells Pearl Harbor story. Litvin talks about Japan. New draft propos Mexican-Japanese relations severed. Bill Rights Day observed. Reindeer in Ra City. Times Square air raid drill. cadets graduate at Mitchell Field. W Coast war drills. Oregon in blackout. T destroyers launched in Boston.

Para. Will Release 'Blackout' at On

Paramount will deliver "Paci Blackout" to exhibitors for showin beginning Jan. 2 and, to exped bookings, will agree on terms wi exhibitors later, Neil Agnew, gene sales manager, stated yesterday.

The film is the story of a Los A geles blackout. It was scheduled f release originally late in February a part of the company's third bloc The special arrangements are bei made to enhance the picture's tim liness, Agnew said.

Merge Para. Bioff Suit

Consolidation of the four stockhol ers' suits brought against Paramou as a result of alleged payments William Bioff and George E. Brow was ordered yesterday by N. Y. S preme Court Justice Albert Smy The court appointed Alfred J. Tall former General Sessions judge, trial counsel for the stockholders.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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CHIN UP AMERICA!

There's a job to be done here at home and the film industry rises to the emergency with a cheerful and united front! Great entertainments are available from all companies to keep the morale of our people high for the effort ahead.





M-G-M HOLIDAY CHEER!

"BABES on BROADWAY" is just what the folks want right now. Mickey Rooney-Judy Garland bring music and merriment to 400 happy theatres at New Year's

"H. M. PULHAM, ESQ." at Radio City Music Hall for New York's Merry Christmas. New hold-overs daily. Swell business everywhere. Hedy Lamarr, Bob Young, Ruth Hussey, Charles Coburn and a great cast.

"WOMAN of the YEAR" a sensation in its first West Coast Preview. Spencer Tracy and Katharine Hepburn are a terrific two-some. Here's a show that's got everything

"JOHNNY EAGER" T. N. T. Taylor 'N Turner! Bob and Lana are dynamite together! That's how you'll advertise this powerful, punchful drama. It's another "Honky-Tonk" for two-fisted romance.

FROM TOP TO TOE IT'S FULL OF DOUGH!

Keep your eye on "THE VANISHING VIRGINIAN," a sleeper that's packed with heart-throbs. Just Previewed: "WE WERE DANCING" starring Norma Shearer, Melvyn Douglas—it's a honey! Just completed: "I MARRIED AN ANGEL" starring Jeanette MacDonald, Nelson Eddy—a musical sensation! Abbott and Costello spell "RIO RITA" like this: r-i-o-t! Eleanor Powell, Red Skelton in a wow musical! Spencer Tracy, Hedy Lamarr, John Garfield in "TORTILLA FLAT." And a new Hardy in production: "ANDY HARDY'S COURTSHIP" with Mickey Rooney, Lewis Stone and all the folks!

Merry Xmas!



"Count on me, Uncle Sam!"

THE SHOW WILL GO ON!

Realignment of RKO Effected By Schaefer

(Continued from page 1)

Orpheum. (Schaefer is president of K-A-O.)

Leon Goldberg, who has been treasurer of K-A-O, chief theatre subsidiary of RKO, has been elected treasurer of the parent company and additionally will be treasurer of all RKO theatre and picture subsidiaries.

Responsible to Schaefer

All these officials will be directly responsible to the president.

Charles Koerner will be elected a vice-president of the theatre companies and will continue as general manager under Kingsberg.

Kingsberg replaces Major L. E. Thompson, who, it is reported, is headed for some other executive post in the company. Goldberg succeeds William Clark.

Schaefer's announcement stated that all theatre activities will be consolidated under Kingsberg's direction and that the companies of which he will be elected president include RKO Proctor Corp., RKO Midwest Corp., RKO Orpheum Corp. and RKO Service Corp.

One Finance Head

Regarding Goldberg's new posts as treasurer of the parent and subsidiary companies, Schaefer stated: "This move will centralize all financial operations under one head who will be directly responsible to the president."

"The realignment," Schaefer stated, "will streamline the organization as well as more clearly and definitely fix duties and responsibilities."

British Studios Ask Exemption of Talent

London, Dec. 16.—A majority of producers and representatives of the British units of M-G-M, Columbia and 20th Century-Fox, in the British Producers Association, will seek the aid of the Ministry of Information in obtaining the release from military service of necessary talent.

The producers plan to offer full documentary proof of their need, with technicians probably included, and the Ministry has promised to lend its assistance. The producers also are considering a plan under which the association would be a clearing house on the producers' clothing ration system, instead of the present method, under which each producer has coupons to take care of studio needs. Board of Trade approval will be sought.

Extension to Jan. 5 In Pickwick Case

New Haven, Dec. 16.—A second stipulation has been entered into by the attorney for the plaintiffs in the Pickwick, Greenwich, anti-trust suit against the eight major film companies, and the attorney for 20th-Fox, granting extension of time in which 20th-Fox may answer the long interrogatories of the plaintiffs. The time has been extended to Jan. 5, 1942, when answers will be expected as to corporation, clearance and personnel matters.

Far East 55% 'Normal,' Offices Are Functioning

(Continued from page 1)

that they are safe and that their organizations are still functioning. Virtually all 20th Century-Fox representatives in the Far East also have been heard from. No casualties among industry personnel in the Far East have been reported to home offices.

Hank Henry, manager of Paramount's Manila exchange, who held a commission as Naval Reserve Officer, was called to duty at the outbreak of hostilities.

Film shipments to the Orient are understood to be leaving from New York, instead of the West Coast, as formerly. Shipments are said to be going by way of the Panama Canal through the South Pacific to Australia and will be re-shipped to other Far East ports from there.

Cashier's checks totaling $210,000 on the Yokahama Specie Bank at San Francisco, which were received about a week ago in connection with the third payment on the major companies' 1937 Japanese revenue, have been returned to the companies uncashed, as the San Francisco bank was taken over by the Alien Property Custodian following the declaration of war. In order to cash the checks, the companies, it is said, will have to obtain permits from the Treasury Department at Washington.

Defense Testimony Starts in Minnesota Case, Joy a Witness

(Continued from page 1)

governing and needs no legislative regulation.

Shearer, in his presentation, declared that production entailed strong competition, in which large sums were spent.

"Uncanny judgment," in forecasting public taste is a necessary function of the industry, he said. "The ability to forecast what the public wants is one of the basic elements of motion picture success. Even then the producer cannot predict the fate of a picture.

"No expense is spared in giving the public what it wants. Showmanship is indispensable, and showmanship is not subject to monopoly."

Finley discussed distribution. He pointed out that competition forced companies at one time to try to beat each other on convenion dates, and the result was confusion.

He pointed out that motion pictures are copyrighted and cannot be sold. He said that in 1941 fewer than 600 pictures were made, but print shipments totaled 10,000,000.

Revenue, Finley said, is evenly divided from first run and subsequent run houses.

"First runs are entitled to protection," he said. "The distributor has his own choice of licensing."

Loew's Minn. Escape Plea in Court Today

(Continued from page 1)

the Government's application to restore its anti-trust suit against Columbia, United Artists and Universal to the Federal court trial calendar here.

It is believed that Loew's application will be granted by the court, since that was the experience of the other four consenting companies in making their Minnesota law applications. The Loew's petition follows the same form as those of the other companies.

'Gesture' Preview Set

United Artists will hold a press preview of Arnold Pressburger's "The Shanghai Gesture" at the Astor Theatre, Dec. 23. Industry executives in addition to press representatives will be invited, it is planned.

Fawcett Readers Call 'Foxes' Best

Readers of three fan magazines published by Fawcett Publications, *Movie Story, Motion Picture* and *Hollywood*, have selected "The Little Foxes" as the best picture of 1941, in a selection of 15.

The others are: "Sergeant York," "The Philadelphia Story," "Citizen Kane," "A Woman's Face," "Here Comes Mr. Jordan," "Honky Tonk," "Kitty Foyle," "The Road to Zanzibar," "I Wanted Wings," "Blossoms in the Dust," "Ladies in Retirement," "A Yank in the RAF," "That Hamilton Woman," "You'll Never Get Rich."

St. Louis Paper Poll Designates 'Blossoms'

St. Louis, Dec. 16.—"Blossoms in the Dust" was listed as the outstanding film of 1941 in a reader poll conducted by Colvin McPherson, *Post Dispatch* critic. Following in order, were: "Sergeant York," "Penny Serenade," "Gone With the Wind," "A Yank in the RAF," "Caught in the Draft," "Blood and Sand," "Kitty Foyle," "The Philadelphia Story," "Hold That Ghost."

Treasury to Enlist Radio, Theatres For 'Minute Men' Bond Selling Drive

Washington, Dec. 16.—The Treasury Department today revived the World War "Four-Minute Men" method of selling bonds, announcing that it was enlisting nationally known Americans to make one-minute selling talks on Government and nationally sponsored network programs and over all local radio stations.

Prominent citizens from the locality will be asked to speak over the individual stations while nationally known figures will be used on the chain programs and the Treasury's own presentations to urge the purchase of defense bonds and stamps.

It is probable that, as in the last war, exhibitors also will be asked to lend their stages for short talks.

M.P. Defense Unit Now War Activity Group

(Continued from page 1)

group. Francis S. Harmon, who ha been acting as coordinator for th committee cooperating for natio defense, has been appointed to the sition and has been designated as ex ecutive vice-chairman of the Wa Activities Committee. Mr. Harmo has resigned from the Motion Pictur Producers and Distributors of Amer ica, Inc., in order to devote full tim to the war activities of the industry

"These changes were determine upon at a meeting of the executiv group attended by representatives o exhibitors, distributors, producers, art ists and trade press.

"A budget committee to study an arrange for financing the cost of th industry's war activities was ap pointed, consisting of Si Fabian, R. E Wilby and Joseph H. Hazen."

Academy Awards Committee to Meet

Hollywood, Dec. 16.—The new awards committee of the Academy o M. P. Arts & Sciences, of whic Walter Wanger is chairman, wi meet for the first time tomorrow night in the organization's blacked out meeting rooms in the Taft Bldg

Committee Personnel

The personnel of the awards com mittee, named by Bette Davi Academy president, includes: Joh Aalberg, Edward Arnold, Ann Bauchens, Charles Brackett, Ralp Byrd, Harry Cohn, Bette Davi Olivia De Havilland, Franciot Ec ouart, Nat W. Finston, Henry Fond Y. Frank Freeman, John Garfiel Tay Garnett, Donald Gledhill, San uel Goldwyn, Henry Hathaway James Hilton, Talbot Jennings, Joh Leroy Johnston, Mervyn LeRoy, Sc Lesser, Richard Macaulay, No Madison, E. J. Mannix, Thoma Moulton, Jane Murfin, Frank Parto Rosalind Russell, Allan Scott, Wi liam Seiter, Lesley Selander, Davi O. Selznick, Pete Smith, Georg Stevens, Bertram Teitelbaum, Dorot Tree, Joseph Valentine, Hal Walli Cliff Work, Loyd Wright and Darr Zanuck.

Canada Prohibiting New Year Price Ris

(Continued from page 1)

ment tax in connection with admi sions for such performances.

The ruling limits the admissio charge to the scales in effect for th midnight performances last Ne Year's Eve and, due to the requir ment that the exhibitors must abso the Federal tax, in addition, th scales will represent a 20 per ce reduction to the theatre as compare with the prices charged last Ne Year's Eve.

The ruling was made necessary b cause the regulations placing a ce ing on admission prices do not cov special performances such as Ne Year's Eve midnight shows.

UNIVERSALS' *Special* FEATURETTE

IT PACKS THE POWER of a FEATURE-THRILLER!

An exploitation special timed for the minute
Vividly portraying America's air-might as i
shouts defiance at the ruthless aggressors

CAVALCADE of AVIATION

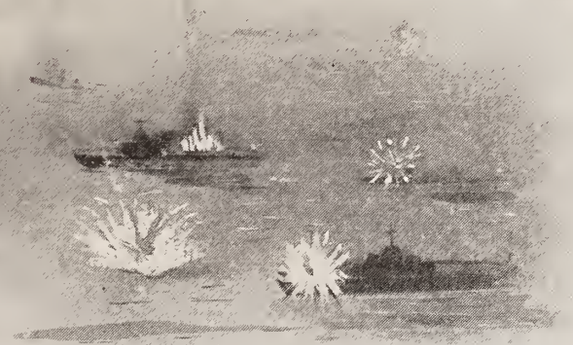
THRILL to the first flight of the "Kitty Hawk" . . . *THRILL* with America's first war ace, Capt. Eddie Rickenbacker, in action . . . *THRILL* and *WONDER* at the freak designs that helped America get its wings . . . *THRILL* to the first American air-bombers in action . . . *THRILL ONCE AGAIN* with America's air heroes—Byrd, Chamberlain, Post, Rogers, Earhart, Elder and others . . . *THRILL* to General Billy Mitchell's forecast of war in the air . . . *THRILL* to America's mighty air power blasting its enemies from the skies!



SEE
Captain Eddie Rickenbacker, America's greatest war ace . . . see actual World War I combat!



SEE
Wiley Post and Will Rogers on the world-flight from which they never returned!



"EXTRA ATTRACTIONS" UNIVERSAL "EXTRA GROSSES"



SEE
Amelia Earhart as she appeared before her ill-fated flight over the Pacific!



SEE
Ruth Elder, the first woman to fly across the Atlantic Ocean!



SEE
Ruth Nichols as she returned after setting a new altitude record!



SEE
General Billy Mitchell as he forecasts the coming of air-war!

World Premieres in Dayton and Dallas! — **NATIONAL RELEASE, DEC. 31**

'Flying' Gets Chicago Lead With $22,500

CHICAGO, Dec. 16.—Despite slow business for a couple of days due to war conditions the week ended strong. The Palace, with "Keep 'Em Flying" pulled $22,500. "Honky Tonk" took $25,000 at the State-Lake.

Estimated receipts week ending Dec. 12:

"Smilin' Through" (M-G-M)
APOLLO—(1,400) (30c-40c-59c) 7 days, 2nd week. Gross: $6,500. (Average, $5,000)
"Skylark" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage—"Folies Bergere" revue. Gross: $37,000. (Average, $32,000)
"Sergeant York" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. (7th week in Loop). Gross: $7,000. (Average, $5,000)
"Married Bachelor" (M-G-M)
ORIENTAL — (3,300) (25c-35c-40c-50c). Stage—Johnny "Scat" Davis band and the Mills Brothers. Gross: $18,500. (Average, $16,000)
"Keep 'Em Flying" (Univ.)
"South of Tahiti" (Univ.)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $22,500. (Average, $13,000)
"Swamp Water" (20th-Fox)
"Great Guns" (20th-Fox) 6 days, 2nd week
"Unholy Partners" (M-G-M)
"Target For Tonight" (W.B.) 1 day
ROOSEVELT — (1,500) (30c-40c-59c) 7 days. Gross: $7,500. (Average, $11,000)
"Honky Tonk" (M-G-M)
STATE-LAKE — (3,700) (40c-44c-55c-75c). 7 days, 2nd week. Gross: $25,000. (Average, $14,000)
"Two Faced Woman" (M-G-M)
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days, 2nd week. Gross: $16,500. (Average, $14,000)

'Havana' $15,500, Newark Gross Off

NEWARK, Dec. 16.—Theatres experienced a decided drop in receipts following the war, managers reporting worst business since slump last Spring. "Week-End in Havana," however, drew $15,500 at Proctor's.

Estimated receipts for week ending Dec. 8-10:

"Appointment for Love" (Univ.)
"This Woman Is Mine" (Univ.)
WARNERS' BRANFORD—(2,840) (30c-40c-55c-65c-75c) 7 days. Gross, $14,200. (Average, $14,000)
"Shadow of the Thin Man" (M-G-M)
"Broadway Limited" (U.A.)
LOEW'S STATE—(2,589) (35c-44c-55c-65c-75c) 7 days. Gross: $13,500. (Average, $13,750)
"Texas" (Col.)
"Buy Me That Town" (Para.)
PARAMOUNT-NEWARK — (2,200) (35c-44c-65c-75c) 7 days. Gross: $12,800. (Average, $13,750)
"Week-End in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
RKO PROCTOR'S—(2,289) (35c-45c-55c-65c-75c) 7 days. Gross: $15,500. (Average, $14,500)
"Sins Off Bali" (State Rights)
"She-Devil Island" (State Rights)
LITTLE—(299) (35c-45c-55c) 7 days, 3rd week. Gross, $1,500. (Average, $1,800)

News Announced at Rochester Houses

ROCHESTER, Dec. 16.—Latest war news is being featured at Schine houses here in a newspaper tieup. The paper furnishes the bulletins to be read from the stage of each house at 10 P.M.

Fire at Montreal House

MONTREAL, Dec. 16.—Fire believed to have been caused by an overheated furnace caused an estimated several thousand dollars damage to the Francais Theatre here early today.

• Short Subject Reviews •

"Spanish Fiesta"
(*Warners*)

First of a proposed series, "Spanish Fiesta," is an uncommon type of screen entertainment, far in advance of the regulation subject from the standpoint of artistry. Transplanted to the screen under the direction of Jean Negulesco is the celebrated Ballet Russe de Monte Carlo featuring Tamara Toumanova, Frederic Franklin and Leonide, enacting the story of the gypsy girl who steals away from her camp and ventures to a party of the aristocracy. The entire troupe performs with great skill. The accompanying music by Rimsky Korsakoff has a really fine quality, while the presentation, vividly colored, is compelling in its beauty. The subject is of an esthetic nature. Running time, 19 mins. Release, undetermined.

"Hedda Hopper's Hollywood, No. Z1-2"
(*Paramount*)

This is average "inside Hollywood" fare. As in the reel's predecessor, a good deal of attention is focussed upon Miss Hopper, who is first seen entertaining a few screen players and veteran William Farnum at her home. Subsequently it shifts to the Milwaukee premiere of Miss Hopper's first "Hedda Hopper's Hollywood," then to the ground-breaking ceremonies at what is to be the Motion Picture Relief Fund home, and finally to the Mocambo, a Hollywood night spot. Running time, 10 mins. Release, Dec. 5, 1941.

"Unusual Occupations, L1-2"
(*Paramount*)

Presented in color here are six interesting items, some of which have action in addition to interest, making for one of the better shorts in the series. Shown are a woman zoological director in San Diego; the art of coloring glass; aquatic acrobatics; musical instruments composed of animal hides; breeding of goldfish, and finally an exhibition of sharpshooting. Running time, 11 mins. Release, Dec. 5, 1941.

"Kitchen Quiz No. 2"
(Columbia Quiz Reel)
(*Columbia*)

Ed East and Polly, the network team, again give film fans the benefit of the household tips they have been broadcasting over the air. They illustrate the removal of grease spots from clothing; how to tell whether eggs are fresh without breaking the shells; how to remove the excess salt or the burnt taste from food; how to collect hairs shed by the family dog, and such. Should interest both men and women. Running time, 9 mins. Release, Dec. 12, 1941.

"The Gay Parisian"
(*Warners*)

This subject with the Ballet Russe de Monte Carlo, while differing, of course, in choreography, is virtually the same as the first, "Spanish Fiesta," in execution and value for the theatre. It is rich and colorful and brings something new to the screen. The ballet company depicts the tale of the gay Peruvian adventurer in a Parisian cafe, pursuing the girls and creating amusing mayhem. Leonide Massine, Milada Mladova and Frederic Franklin are featured. The presentation is strikingly beautiful and in no small way is Jean Negulesco's direction responsible. His filming of one scene, in which a wall mirror reflects the dancers, drew applause at the preview. Running time, 20 mins. Release, Jan. 10, 1942.

"Campus Capers"
(Personality and Name Band Musical)
(*Universal*)

This is bright and tuneful, should rate with those who like a little music on the side. It opens with library material on the big football game and then shifts to the victory celebration. Jack Teagarden and his orchestra provide the music with songs by Susan Miller, an attractive and capable vocalist, and Kenny Stevens, young tenor. A few other acts also are on the program. Running time, 18 mins. Release, Jan. 7, 1942.

"Peaceful Quebec—At War"
(Variety Views)
(*Universal*)

Here traces of the war are reflected only in the stepped-up production of wood pulp. The reel is a nicely filmed travelogue covering native occupations and diversions, farming, industry, the tourist trade at play, and a few spots of historical interest, all shown while the commentator talks about war. Running time, 9 mins. Release, Jan. 5, 1942.

"Annapolis Salutes the Navy"
(Variety Views)
(*Universal*)

This is a quiet, fairly interesting insight on Annapolis, which focuses particular attention on the relics of Colonial days, such as the homes of three signers of the Declaration of Independence, while the commentator recites their history. It is brought to a close with the naval cadets saluting Tecumseh with the traditional tossing of pennies. Running time, 9 mins. Release, Dec. 8, 1941.

"Strange Facts"
(Cinescope)
(*Columbia*)

Three items make up this reel. The sea shell industry is shown preparing lamps, jewelry and other ornaments from a huge collection of shells; a sculptor is at work making many things from fresh cocoanuts, and an unusual migration of shad takes over Silver Springs, Fla. Done in color, the reel holds interest. Running time, 10 mins. Release, Dec. 6, 1941.

"She's Oil Mine"
(All Star Comedies)
(*Columbia*)

Buster Keaton, aided and abetted by Elsie Ames, Monty Collins and Eddie Laughton, indulges in some old style slapstick. As a plumber, Keaton tries to help Miss Ames evade the courtship of an unwanted foreign nobleman. The latter becomes insulted and a duel is fought. There are the usual complications attendant upon the plumber's trade and duelling but laughs are few. Running time, 17 mins. Release, Nov. 20, 1941.

"Battlefields of the Pacific"
(March of Time)
(*RKO*)

With the war developments, the "dated" news matter that forms "Battlefields of the Pacific" has actually gained in value. It is a special March of Time issue compiled of material from three previous subjects which dealt with what is now the chief focal point of American interests—the Far East—and is frankly labeled as such. It is comprised of sequences from "Crisis in the Pacific," released December, 1939; "The Philippines: 1898-1946," May, 1940, and from "Spoils of Conquest," July, 1940. The film is an intelligent and informative analysis of the military strength, geographical significance and natural resources of the Philippines, the Dutch East Indies, Hong Kong and Guam. Running time, 22 minutes. Release, Dec. 19, 1941.

"Rhythm in the Ranks"
(*Paramount*)

Disgraced because he tarried by the wayside for a flirtation with a pretty skater while the rest of the wooden soldiers marched off to maneuvers, the recreant redeems himself by repulsing an enemy army single-handed, but with the aid of invisible camouflage paint. George Pal's new Madcap Models Puppetoon is a sprightly subject, pleasing to see. The color is particularly good. Running time, 10 mins. Release, Dec. 13, 1941.

"How to Hold Your Husband—Back"
(Pete Smith Specialty)
(*M-G-M*)

Several types of wives, all of whom love their hubbies not wisely but too well, are presented for audience amusement by Pete Smith in a new Specialty reel. The well-meaning but disastrous—to their husbands—efforts of the wives should garner a full measure of chuckles everywhere. Running time, 10 mins. Release, Dec. 13, 1941.

"Who's a Dummy"
(Leon Errol Comedy)
(*RKO*)

Devoid of subtlety, Leon Errol is involved in a series of preposterous situations stemming from his assumption that his wife, Vivian Tobin, is engaged in a torrid love affair with another, which in reality is a rehearsal of a play. It is typical Errol comedy staged only for the laughs it will no doubt draw. In comparison with previous Errol efforts, this is about average. Running time, 17 mins. Release, Nov. 28, 1941.

"Gaucho Sports"
(Sportscope)
(*RKO-Pathe*)

This is an entertaining sports reel, whose subject, enhanced by good photography, is the occupational and recreational activities of the gaucho on the Argentine Pampas. The great cattle herds, which, incidentally, currently figure in international discussions, skillful riding and a unique method of roping are shown. It should go over well with most audiences. Running time, 9 mins. Release, Oct. 21, 1941.

Radio Placed On Censorship Basis by U.S.

(*Continued from page 1*)

...orship avoiding the dissemination of detailed information of certain kinds, ...ch as reports of the movements ... vessels and troops, probably will ...eet the requirements of the situa...ion.

Definite censorship will be neces...ary, however, to see that valuable ...formation does not reach the en...my, inadvertently or otherwise, ...hrough the medium of the mails, ...adio or cable transmission, or by any ...ther means. Certain types of in...ormation, covered by long-standing ...aws, also is to be withheld, he said.

Revive War Powers

The announcement that censorship would be established followed by a few hours the quick enactment by Congress of legislation reviving World War powers of the President, including that of censorship of international communications. Domestic broadcasting was not included in the measure, being already taken care of under Section 606 of the Communications Act of 1934.

Outlining the various steps which would be taken to prevent information from reaching the enemy, the President commended the attitude of radio and the press toward the safeguarding of vital news.

"The Government," he said, "has called upon a patriotic press and radio to abstain voluntarily from the dissemination of detailed information of certain kinds, such as reports of the movements of vessels and troops. The response has indicated a universal desire to cooperate."

Newsreel filming of military or naval activities already is under strict control of the War and Navy Departments, as is the use of such scenes made in the production of features.

Urges Caution on Air News Reports

Urging the importance of accuracy of news reports, even at the expense of immediacy, A. A. Schechter, NBC news and special events director, yesterday sent a memorandum to all the network's news editors listing cautions to be observed. He repeated the previously issued warnings against reading casualty lists, movements of troops, weather information and the like.

Pointing out that the enemy frequently sends out false communiques to obtain information by denial or affirmance, Schechter warned against dissemination of such reports. He made an exception, however, for commentators who, because they can explain the full meaning, may discuss the communique in its proper light.

Denies Receiver Plea

SCRANTON, PA., Dec. 16.—Judge Samuel E. Shull refused a petition filed by Lou Pollar asking for the appointment of a receiver for the Union Broadcasting Co., operator of WARM here. Pollar is litigating a claim against the company.

Off the Antenna

THE largest single contract with a wine sponsor was signed yesterday by WNEW with K. Arakelian, Inc., makers of Mission Bell Wines. The contract is for 52 weeks and is non-cancellable, even the usual war cancellation clause having been eliminated. The deal calls for 1,267 15-second cut-in announcements, 936 run-of-schedule announcements and 312 15-minute music periods during the year. Other new business includes a 52-week contract with the American Chicle Co. which has added three 15-minute periods weekly on "Make Believe Ballroom" in addition to the spot campaign which has been conducted exclusively on WNEW, and Hensler Brewing Co., which has extended a 30-week contract for three periods weekly on the "Ballroom" for an additional year.

• • •

Purely Personal: *Robert Gerdy, CBS trade news editor, has resigned, effective Friday, to join the press division of the Office of the Coordinator of Information. . . . Edgar Kobak, NBC vice-president in charge of Blue sales, was host at a luncheon yesterday for the female employes of the Blue sales division. . . . James K. Breyley of Music Corp. of America and Mrs. Breyley (Virginia Verrill, the vocalist formerly heard on "Uncle Walter's Doghouse") became parents of a boy this week. . . . Rudy Vallee has signed Joan Davis as a permanent member of his cast.*

• • •

On again—off again—on again—has been the status of the annual East-West all-star football game originally scheduled to be carried by Mutual under the sponsorship of Gillette from San Francisco New Year's Day. When Army officials cancelled the game, it was shifted to New Orleans but Mutual still couldn't carry it because it had previously scheduled the Cotton Bowl game from Dallas, figuring that the difference in time zones would permit carrying both contests. It was all settled yesterday, however, when the East-West game was postponed to Jan. 3.

• • •

Weather forecasts faded from the radio picture yesterday as just another war casualty. The War Department asked discontinuance of the reports which might aid the enemy. Stations are arranging with sponsors of these forecasts for other periods. WOR, which frequently broadcasts road conditions, is making arrangements with local police to continue such broadcasts but eliminate weather data.

• • •

Program News: *Col. Stoopnagle will return to the air next March over NBC-Blue under sponsorship of the Ontario Travel & Publicity Bureau. He will be heard Fridays, 7-7:30 P.M. . . . Sterling Products has renewed "Orphans of Divorce" and "Amanda of Honeymoon Hill" over 66 NBC-Blue stations Mondays through Fridays. . . . Effective Jan. 4, Standard Brands has renewed the Edgar Bergen show and "One Man's Family" heard Sundays over 84 NBC-Red stations.*

FDR Air Talks Holding Nation Close to Sets

Huge audiences continue to stay close to the radio receiver when President Roosevelt is on the air, it was indicated again yesterday by a survey by Cooperative Analysis of Broadcasting which reported that 63.3 per cent of all set owners heard the President and the Bill of Rights program Monday night.

CAB reported that the show itself established an all-time high for programs using a regular radio technique and it was the fourth largest audience for the President.

The President's speech the week before drew 83 per cent of set owners, according to CAB. C. E. Hooper rated the broadcast 79 per cent, an all-time record. The address to Congress, earlier the same day, drew 60 per cent, according to Hooper.

Wisconsin Houses Air News Summary

JANESVILLE, WIS., Dec. 16.—Many theatres of southern Wisconsin have made arrangements with station WCLO here to have portions of newscasts on the loudspeakers in theatres so that patrons may be informed of the latest news while watching the show. Fox houses here are sponsoring a news digest over WCLO twice daily—at 7 A. M. and 5:45 P. M.—and a complete news summary at its Jeffris and Myers theatres at 9 P. M.

Short Wave Shifts To Boost Coverage

Starting today, the two NBC short wave transmitters and WBOS, the Westinghouse short wave transmitter in Boston which also broadcasts the NBC programs, will shift their entire schedules and frequencies to adjust their language programs for the greatest amount of listening in foreign countries.

Both NBC and CBS continue to operate their short wave transmitters 24 hours daily. CBS reported yesterday that it had received assurances from Latin American stations of whole-hearted support. Charles Malmstedt, Finnish-born American, yesterday joined the NBC staff as newscaster in Finnish.

McLaughlin Resigns As WIBC Manager

INDIANAPOLIS, Dec. 16.—C. A. McLaughlin, vice-president and general manager of WIBC here, has resigned. He also reisgned as an officer and director of the Indiana Broadcasting Corp., operator of the station.

H. G. Wall, president of the corporation and a principal owner of the station, has assumed the management.

Pittsburgh Union Elects

PITTSBURGH, Dec. 16.—Claire Meeder has been reelected president of Musician's Local 60. Edward G. Enberts is vice-president, Nick Hagarty, secretary, and Emil Bills, Hal Davis, Mike Hickly, Frank Panella, Gene Urban and George Wilkins, directors.



War Blow to L.A. Grosses; 'Flying' Good

LOS ANGELES, Dec. 16.—Strong business prior to the war declaration helped the week's totals, for grosses fell 50 to 35 per cent in first runs with blackouts and preparations play-havoc with business. "Keep 'Em Flying" took $22,200 at the Hillstreet and Pantages.

Estimated receipts for the week ending Dec. 10:

"Two Faced Women" (M-G-M)
"Marry the Boss' Daughter" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $13,000. (Average: $12,000)
"All That Money Can Buy" (RKO)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $4,000. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days, 8th week. Gross: $3,100.
"Keep 'Em Flying" (Univ.)
"Burma Convoy" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. "Flying" 2nd week. Gross: $12,700. (Average, $6,500)
"Two Faced Woman" (M-G-M)
"Marry the Boss' Daughter" (20th-Fox)
LOEW'S STATE—(2,700 (33c-44c-55c-75c) 7 days. Gross: $17,000. (Average, $14,000)
"Keep 'Em Flying" (Univ.)
"Burma Convoy" (Univ.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. "Flying" 2nd week. Gross: $9,500. (Average, $7,000)
"Appointment for Love" (Univ.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: "Meet the People". Gross: $16,000. (Average, $18,000)
"One Foot in Heaven" (W.B.)
"The Tanks Are Coming" (W.B.)
WARNER BROTHERS (Hollywood) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $12,-100. (Average, $14,000)
"One Foot in Heaven" (W.B.)
"The Tanks Are Coming" (W.B.)
WARNER BROTHERS (Downtown) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $12,-100. (Average, $12,000)

'Wife' Gets $9,000; Slump Hits Toronto

TORONTO, Dec. 16.—"Our Wife" grossed $9,000 at the Imperial during a week that was hit by the war news and the full effect of the Christmas slump. "Keep 'Em Flying" at the Uptown in the third week, took $7,500.

Estimated receipts for the week ending Dec. 13:

"The Remarkable Mr. Kipps" (British)
"Man at Large" (20th-Fox)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 days. Gross: $3,000. (Average, $4,500).
"Our Wife" (Col.)
IMPERIAL — (3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $9,000. (Average, $9,000)
"The Chocolate Soldier" (M-G-M)
"The Devil Pays Off" Rep.)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $8,000. (Average, $9,000)
"Belle Starr" (20th-Fox)
"Great Guns" (20th-Fox)
SHEA'S — (2,480) (19c-30c-42c-60c-90c) 6 days. Gross: $8,000. (Average, $9,000)
"You'll Never Get Rich" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. Gross: $2,800. (Average, $3,900)
"Keep 'Em Flying" (Univ.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days, 3rd week. Gross: $7,500. (Average, $9,000)

Technicolor 25c Dividend

Technicolor, Inc., yesterday declared a dividend of 25 cents a share on outstanding stock, payable Dec. 29 to stockholders of record Dec. 22, it was announced by Dr. Herbert T. Kalmus, president and general manager.

Reviews

"The Bugle Sounds"

(M-G-M)

THE final one-fourth of this production is crammed with action and suspense and does much to offset the laggard pace of the earlier phases. The difficulty seems to be that the real story does not begin until the picture is three-quarters over. That footage is devoted to depicting Wallace Beery as a hard-bitten cavalry sergeant, resentful of the new-fangled Army mechanization.

Then a shipment of tanks is sabotaged and a runaway vehicle kills Beery's well-loved cavalry mount. Apparently resentful, Beery disappears and after a scene of insubordination when he is returned, he is court-martialed and dishonorably discharged. Chance apparently brings him in contact with the saboteurs and it is then the audience learns the discharge of the veteran was designed solely as a blind to track down the saboteurs. It is while on this mission that the picture achieves its stirring action. Its timeliness seems its greatest virtue.

The supporting roles are ably handled by Lewis Stone as the commanding officer; Donna Reed as a trainee's young bride; Marjorie Main as Beery's old friend; George Bancroft, Roman Bohnen and Jerome Cowan as the saboteurs, and William Lundigan as a tank corps trainee. J. Walter Ruben produced and S. Sylvan Simon directed.

Running time, 101 minutes. "G."* SHERWIN A. KANE

"Mr. and Mrs. North"

(M-G-M) *Hollywood, Dec. 16*

IT'S Gracie Allen across the board for showmen playing this lively comedy of murder and mystification, which is as funny as she is because she is most of it. According to the preview audience which saw it last week in Glendale, that is funny enough. They laughed long, loudly and in all the right places.

Players associated with Miss Allen in the complicated proceedings, which recall "The Gracie Allen Murder Case" without being too much like it for comfort, are William Post, Jr., Paul Kelly, Rose Hobart, Virbinia Grey, Tom Conway, Felix Bressart, Millard Mitchell, Porter Hall, Lucien Littlefield, Inez Cooper, Keye Luke, Jerome Cowan, Stuart Crawford and Fortunio Bonanova.

The story baffles synopsis.

Production is by Irving Asher, direction by Robert B. Sinclair and the script by S. K. Lauren, all parties pitching to Miss Allen throughout.

Running time, 67 minutes. "G."* ROSCOE WILLIAMS

"West of Cimarron"

(Republic)

"WEST of Cimarron" is a routine Western, neither more nor less. It has the regulation company of characters, a yarn that is not always smooth running, and action.

As they have done before, the Three Mesquiteers ride smack into trouble—post-Civil War Texans vs. tax-minded Union troopers—and waste little time in adjusting matters. The trio, Bob Steele, Tom Tyler and Rufe Davis, have with them in the film Lois Collier, daughter of the commanding officer who is unaware of his assistants' carpet-bagging; James Bush, leader of the battling victims, and others, including Guy Usher, Hugh Prosser, Cordell Hickman and Roy Barcroft.

Steele, Tyler and Davis soon learn the facts, pretend to take sides with the troopers and eventually effect the expose. In a big concluding fight the Texans win. Director Les Orlebeck was not provided with the best of material. Louis Gray was associate producer.

Running time, 56 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Legion Approves 12 Of 14 New Pictures

The National Legion of Decency for the current week has approved 12 of 14 new films reviewed. The new listing follows:

Class A-1, Unobjectionable for General Patronage—"The Blonde Comet," "Melody Lane," "Midnight Angel," "Mr. Bug Goes to Town," "Road Agent," "Sing for Your Supper," "Steel Against the Sky," "Thundering Hoofs." Class A-2, Unobjectionable for Adults—"Dr. Kildare's Victory," "Honolulu Lu," "King's Row," "Paris Calling." Class B, Objectionable in Parts—"Kliou," "The Man Who Came to Dinner."

Ampa Testimonial To Hays in March

(Continued from page 1)

Hays became president of the MPPDA on March 5, 1922.

Ampa has appointed the following committee in charge of general plans for the dinner: Leon Bamberger, chairman; Maurice Bergman, John Flinn, Rutgers Neilson, Kenneth Clark, Joel Swensen and H. M. Richey. Special committees will be named later.

Among early plans for the affair is one for a coast-to-coast broadcast emanating from Hollywood and depicting the industry's history for the past 20 years.

Universal and RKO Security Deals Are Reported by S.E.C.

WASHINGTON, Dec. 16.—Disposition in October of 220 shares of Universal Pictures first preferred stock by Universal Corp. has been reported by the Securities and Exchange Commission in its final summary for the month. The report showed that Universal Corp., at the close of October, still held 230,927 shares of Universal Pictures common and 20,000 share of second preferred stock.

The only other October transaction reported was the acquisition by Radio Keith Orpheum Corp. of 70 shares of Keith-Albee-Orpheum common stock, giving it a total of 1,205,745 shares together with 7,476 shares of preferred.

Report Monogram Trading

A delayed report filed by M. A. Hulling, director in Monogram, disclosed the acquisition in August of 2,589 shares of Monogram common through Monogram Pictures of California and 1,294 shares through Monogram Pictures of the Northwest, giving a total of 5,223 shares held through the former and 2,712 shares through the latter.

Reports on the holdings of persons becoming officers or directors of registered corporations showed that Louis J. Barbano, New York, held no Columbia Pictures securities when he became a director in that company Oct. 8, but that Herbert Scheftel, New York, held 5,500 shares of Trans Lux common stock when he became a director in that company Oct. 30.

A report on Coulmbia Broadcasting System showed the disposition, by gift, of 10,000 shares of Class B common stock by William S. Paley, president, leaving him with 244,356 shares.

Studios Announce New War Pictures

HOLLYWOOD, Dec. 16.—Republic plans to make "Remember Pearl Harbor," an original by Albert J. Cohen, associate producer, to start Dec. 29. The studio also listed "Yanks Over Burma Road," "International Bandit, "Interceptor Command" and "Wings Over Alaska" for early production.

Paramount announced it plans to make "Wake Island," a story of the defense of America's Pacific outpost. The studio also has announced "Listening Post."

The script of "Burma Road," 20th Century-Fox film, is being rewritten to bring it up date, the studio disclosed.

Columbia has registered "Salute to Tobruk," based on the title of the BBC program.

Killed in Hawaii

DES MOINES, Dec. 16.—Announcement of the second death in the Hawaiian fighting that affected film row here was that of Harry Hudgell, boatswain's mate first class, whose stepmother has been bookkeeper for Central States Theatres the past 2 years.

R. I. Projectionist Dies

PROVIDENCE, R. I., Dec. 16.—Patrick J. McKenna, 45, veteran local projectionist, died today at his home in nearby Auburn. He had been an operator nearly 30 years.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 120 NEW YORK, U.S.A., THURSDAY, DECEMBER 18, 1941 TEN CENTS

Willkie Cites Film Freedom In War Crisis

Speaker at Inter-Faith Campaign Meeting

By SAM SHAIN

Whereas two or three months ago the motion picture industry had to defend its right to show pictures depicting Nazi injustice and horror, nobody today would want the industry to do otherwise than to bring to the American public stimulation of their own activities by films of the great struggle going on in the world, Wendell L. Willkie said yesterday. He addressed a blue ribbon audience of about 60 men and women of



Wendell Willkie

(*Continued on page 5*)

Complete 'Dimes' Committee Named

George J. Schaefer, RKO president, and W. G. Van Schmus, managing director of the Music Hall, have accepted co-chairmanships on the National Motion Pictures Committee for the 1942 March of Dimes campaign, Nicholas M. Schenck, chairman, announced yesterday.

Their acceptances complete the personnel of the national committee which includes, in addition to the three named, Barney Balaban, C. C. Moskowitz, Oscar A. Doob, Harry Brandt and 48 state chairmen.

Coast Groups Plan Talent Service Pool

HOLLYWOOD, Dec. 17.—An organization to coordinate requests for free talent appearances was formed last night by film, radio, stage and talent groups. Fred W. Beetson, executive vice-president of the Association of M. P. Producers, was named chairman and the new group will be known as the Hollywood Coordinat-

(*Continued on page 4*)

Alien Trading Is Industry Problem

One of the problems facing the industry concerns the course which the companies must take with regard to trading with enemy aliens. Under the Trading With the Enemy Act, distributors are not permitted to deal with theatres owned or operated with Japanese, it was stated yesterday. Industry authorities are considering this situation, according to report, and may act to obtain a close check of such houses, which are chiefly on the West Coast.

'Two-Faced Woman' Is Reclassified by Legion of Decency

J. Robert Rubin, vice-president of M-G-M, yesterday revealed that the revised version of the film, "Two-Faced Woman," has been deemed by the National Legion of Decency sufficient to warrant the removal of the film from the "C" or "Condemned" classification to the "B" or "Objectionable in Part" classification.

Rubin yesterday issued the following statement:

"In response to criticisms which have been expressed relative to 'Two-

(*Continued on page 7*)

WALKER HEADS U.S. CENSORSHIP STUDY

Civil Defense Films Set by Studio Group

HOLLYWOOD, Dec. 17.—The Army training film project of the Research Council of the Academy of M. P. Arts and Sciences in collaboration with the Signal Corps has been expanded to inclued a series of civilian defense films, it was announced last night.

The first of these films, all of which will deal with military information of vital importance and interest to civilian populations, will be on such subjects as safeguarding military information, proper cooperation of civilian populations with military authorities, proper preparations for blackouts, and the like, it was said.

Prints will be distributed through the cooperation of the distribution and exhibition branches of the industry's national defense committee, now the War Activities Committee Motion Picture Industry. The script for the first of the films has been com-

(*Continued on page 4*)

Special Unit of Cabinet Sifts Plans for War Agency Setup

WASHINGTON, Dec. 17.—Plans for various Federal agencies for war time censorship are under study by a special cabinet committee headed by Postmaster General Frank C. Walker, it was revealed at the White House today. The committee will develop an overall program for submission to President Roosevelt.



Frank C. Walker

Other members of the committee are Vice-President Henry A. Wallace and Attorney General Francis Biddle. Lowell Mellett, director of

(*Continued on page 4*)

Newsreels Release Pearl Harbor Films

Films of the Japanese attack on Pearl Harbor are included in the newsreels' weekend issues which are being received by theatres today. Some of the shots show Honolulu under fire.

The pictures were made available by the U. S. Army Signal Corps. The Signal Corps had previously collected all shots made by newsreel men who were on the spot when the attack occurred. The newsreel offices here are still in the dark about what arrangements have been made for their coverage in Hawaii.

See U.S. Asking Extension Of Decree Escape for Year

An extension of the June 1, 1942, deadline for the decree escape clause may be sought by the Government in the event it becomes apparent that a decision cannot be obtained in the New York anti-trust action against the "Little Three" by that date, Robert L. Wright, special assistant to the U. S. Attorney General, admitted in U. S. District court here yesterday. The extension, attorneys indicated, would be for a year.

[MOTION PICTURE DAILY reported on Monday that the Government procedure under such circumstances probably would be to ask for an extension of the escape clause deadline.]

Under the decree escape clause, the trade show and blocks-of-five sales provisions will become inoperative after June 1 if the Government has not obtained convictions or substan-

(*Continued on page 4*)

5-Block Law Hurts Sales, Wobber Says

ST. PAUL, Dec. 17.—The Minnesota anti-block-of-five law has a serious effect on distribution in the Northwest territory, Herman Wobber, 20th Century-Fox general sales manager, testified today while under cross-examination in the State's criminal actions against Paramount, RKO and 20th Century-Fox for violations of the law.

Colonel Jason Joy of the 20th Century-Fox studio, continued his testi-

(*Continued on page 4*)

Loew's to resume selling in Minnesota. See Page 4.

Radio Poll Tomorrow

THE results of Motion Picture Daily's poll to determine the Radio Champions of 1941, conducted among more than 600 radio editors in the United States and Canada, will be published tomorrow.

Personal Mention

LEO SPITZ is en route to California.

•

LOUIS D. FROHLICH left for the Coast by train last night after having postponed his scheduled departure for a few days.

•

RALPH L. McCOY, Warners' Southern and Midwestern division manager, has returned from a trip to his territory.

•

ANTONIO OSIO, owner of the Cine Olimpia, in Mexico City, is visiting in New York with MRS. OSIO.

Dinner Tomorrow in Chicago for RKO Men

Ned E. Depinet, RKO vice-president, and A. W. Smith, Jr., sales manager, will leave tonight to attend the testimonial dinner in Chicago tomorrow night for Walter Branson, Western division manager; Jack Osserman, Midwestern district manager, and Sam Gorelick, Chicago branch manager.

Chicago exhibitors, circuit executives and others are expected at the Congress Hotel party. Jack Kirsch, president of Allied of Illinois, has arranged an entertainment program. Executives from other Midwestern cities also are expected.

Club Endows Film Library in Denver

DENVER, Dec. 17. — The Rocky Mountain Screen Club, of which Rick Ricketson is president, has endowed and is sponsoring the Library of Motion Picture Arts and Sciences of the University of Denver, as a reference source. The library is housed in a wing of the new library building.

The official dedication will be part of the 27th anniversary of the Rocky Mountain Screen Club next March.

Conn. Units Weigh Raid Precautions

NEW HAVEN, Dec. 17.—The Connecticut MPTO and Allied Theatre Owners of Connecticut met jointly today to formulate a plan of theatre air raid defense precautions, which will be submitted for the approval of the Commissioner of State Police.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —Life Magazine
GERTRUDE LAWRENCE
in the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW."—Herald Tribune
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats. Sat., Sun. & Xmas
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Abandon Sneak Previews on Coast Due to Blackouts; Seek Papers' Aid

Hollywood, Dec. 17.—Discontinuance of the long-standing practice of "sneak" previews not intended for press review in Los Angeles suburbs was announced today by Y. Frank Freeman, president of the Association of M. P. Producers. Freeman asked the cooperation of Los Angeles editors in not printing reviews prior to specified review dates.

He cited war conditions as making journeys to distant points dangerous in the event of blackouts. The zoning system thus ended was invoked several years ago to end a competitive conflict which raged between local publications at that time, to the dissatisfaction of all parties and considerable cost to the studios. Newspaper cooperation is expected to be uniform and spontaneous.

Texas Exhibitor Files Arbitration Appeal

B. R. McLendon, operator of the Texan and State theatres, Atlanta, Tex., has filed an appeal from the dismissal of his clearance complaint at the Dallas board, American Arbitration Association headquarters reported yesterday.

The complaint named Loew's, RKO, 20th Century-Fox and Warners, and the Paramount and Strand theatres at Texarkana, Tex. J. B. Adone, arbitrator, dismissed the case Nov. 30 after finding that the clearance granted the competing theatres was not unreasonable.

The complaint attracted attention when Paramount-Richards Theatres, of which E. V. Richards is head, and which operates the competing theatres, served notice that it would not intervene in the case and did not recognize the jurisdiction of arbitrators over its operations.

Seek to Regulate L. A. Stage Shows

HOLLYWOOD, Dec. 17.—Regulation of stage shows and theatre performances other than motion pictures is proposed by the Los Angeles police commission in the draft of an ordinance sent to the city council.

The proposed measure would empower the commission, under the permit section, to take necessary steps "for the maintenance of public order, the promotion of public morals and the orderly conduct of such places."

The measure was discussed by the City council today. Councilmen expressed the view film houses should be exempt from all regulation inasmuch as police now have the power to seize salacious films in theatres. The bill was referred to the Police and Fire Committee.

'Bahama' Booked by Loew's State Here

Loew's State has booked Paramount's "Bahama Passage" for a two-week first run engagement beginning Christmas Day. The booking was made possible because of a product jam at the New York Paramount resulting from extended runs, the distributor said.

Barron to Give Party

WASHINGTON, Dec. 17.—Carter T. Barron, Loew's zone manager here, will give his annual party Saturday night at the Hotel Shoreham for the heads of theatres operated under his general direction. In attendance, with their wives, will be managers of Loew houses in Harrisburg, Reading, Wilmington, Baltimore, Richmond, Norfolk and Washington.

Fine Two London Houses on Quota

LONDON, Dec. 17.—Two American owned houses in London's West End have been fined £50 each for failing to fulfil their quota obligations and screen 15 per cent of British feature films. They are the Carlton and the Plaza, both owned by Paramount.

It was claimed in defense that over 100 British films had been rejected as unsuitable. The Magistrate, however, insisted that British films were obtainable and it should not have been concluded that all the films rejected would have been failures.

Van Dyke to Head Chicago Film Club

CHICAGO, Dec. 17.—A. M. Van Dyke has been elected president of the Reelfellows Club here, composed of film salesmen, succeeding W. Weinshenker. Other new officers are Nat Nathanson, vice-president, and Frank Young, secretary. Robert Funk was reelected treasurer and Al Kent is the new sergeant-at-arms.

The club's annual dinner dance, to be held in the Gold Room of the Congress Hotel, has been changed from Jan. 30 to Feb. 6, in order not to conflict with President Roosevelt's birthday ball.

Boston Club Elects Four as Trustees

BOSTON, Dec. 17.—The local Variety Club has elected four to serve three-year terms on the board of trustees. They are: Joseph Levinson, Paul Baron, Murray Weiss and Harry Rogovin.

The local club will sponsor the first night of the "Icecapades" on Dec. 29 at the Boston Garden, the proceeds to go to the club's charitable work.

Levy Host to 'U' Staff

DES MOINES, Dec. 17.—Lou Levy, Universal exchange manager, will entertain 36 employes and their husbands and wives at a dinner and Christmas party at the Savery Hotel here Monday.

War Stamps as Change

WASHINGTON, Dec. 17. — Sidney Lust, operator of neighborhood theatres here and in nearby Maryland, has inaugurated the policy of giving defense stamps to patrons who want them in lieu of change.

'Soldier' Ending Run

"The Chocolate Soldier" will end its run at the Astor Theatre on Broadway Sunday evening, after eight weeks. It will be followed by "The Shanghai Gesture" on Dec. 25.

Acknowledge Unity Meet War Pledge

CHICAGO, Dec. 17—Acknowledgments of the resolution adopted by the all-industry unity conference in Chicago Dec. 9 pledging the service and support of the industry to the President and the armed services, have been received by Jack Kirsch, temporary chairman of the committee, from the White House and the office of the Secretary of the Navy.

The White House message, signed by M. H. McIntyre, secretary to the President, said in part: "The messages which have been received have given the President strength and courage to carry out the will of the American people. For the splendid assurance conveyed in your message he is more appreciative than he can say."

Lieutenant Alan Brown of Secretary Knox's office wrote in part: "Such offers of cooperation are extremely heartening and merit the appreciation of the entire Naval establishment."

Gruenberg Named RKO District Head

L. S. Gruenberg, branch manager for RKO at Salt Lake City, has been appointed by Ned E. Depinet, vice president, as Rocky Mountain district manager, replacing H. C. Fuller, who has been granted a leave of absence because of ill health. Gruenberg will move his headquarters from Salt Lake City to Denver. A successor will be named shortly.

Griffith Chief Barker Of K.C. Variety Club

KANSAS CITY, Dec. 17.—H. J. Griffith has been elected chief barker of the local Variety Club. Other officers are: Fred Meyn, first assistant; Le Finkelstein, second assistant; A. I. Cole, secretary, and W. G. McKinnel treasurer. Directors include the officers and Charles Potter, Russe Borg, R. R. Biechele, C. A. Schult O. K. Mason and Lester Durland.

Frisco Union Reelects

SAN FRANCISCO, Dec. 17.—Al Maa has been reelected president of Th atrical Employes' Union Local 1 other incumbents being reelecte including Secretary-Treasurer Ne Joyce and Business Agent Willia Sutherland.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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DON'T BE FOOLED BY A HOLIDAY WRAPPING!



Right now, every company has "a great holiday show" for you. In every case, it's marked "Do Not Open Until Xmas!" In every case EXCEPT ONE . . .

That one is Warners' "They Died With Their Boots On" which opened in a limited number of spots Thanksgiving Day and has already earned

THREE SMASH WEEKS AT THE N. Y. STRAND!
HOLDOVERS IN PRACTICALLY EVERY SPOT!
BUSINESS WAY OVER "DIVE BOMBER" AND "DODGE CITY"!

We opened it early so that you could *know* what you were buying for the holidays.

So don't be fooled by a holiday wrapping...when you can get

"THEY DIED WITH THEIR BOOTS ON"

from WARNERS for New Years!

ERROL FLYNN
'IA DeHAVILLAND
in
' DIED WITH THEIR BOOTS ON"
with
KENNEDY • CHARLEY GRAPEWIN
GENE LOCKHART
ected by RAOUL WALSH
al Screen Play by Wally Kline and
MacKenzie • Music by Max Steiner

NEW SEASON! NEW BOXOFFICE HIGHS!

Walker Heads Cabinet Group Censor Study

(Continued from page 1)

the Office of Government Reports, while not a member, is sitting in on the meetings of the committee.

Stephen Early, the President's secretary, said that Byron Price, yesterday named director of censorship, is expected to arrive in Washington Friday to meet with the cabinet committee.

The proposed program will be designed to eliminate the evils and difficulties experienced with censorship during World War I, Early said, and news gatherers in Washington will probably have little contact with the censorship office. This office will seek to suppress at the source information which might be of aid to the enemy.

President to Approve

Early said the committee has been sifting a number of plans developed by Government agencies before the outbreak of war and that the plan will be submitted to President Roosevelt for final approval. It is hoped that the plan will be ready for submission by the time the pending war powers bill is signed.

Mail, cable and radio messages going out of or coming in the country will be subject to censorship. Government sources of information, however, will remain open because the Government considers it "most important" to transmit news from the source to the public with the least possible delay, Early said.

Coast Groups Plan Talent Service Pool

(Continued from page 1)

ing Committee for Stage, Screen and Radio.

A huge talent pool is planned for the rotation of names and for authentication of appeals for personal appearances. Committee members include Y. Frank Freeman, A.M.P.P. president; Howard Strickling, chairman of the publicity directors' committee; Edward Arnold, Screen Actors Guild president and Hollywood head of USO-Camp Shows; Kenneth Thomson, SAG executive vice-president; Bert Allenberg, Artists Managers Guild president; Charles K. Feldman, an agent; True Boardman of the American Federation of Radio Artists; Don Gilman, NBC vice-president; William Forbes of CBS; I. B. Kornblum of the Theatre Authority, and Jock Lawrence, who will serve as secretary.

Feldman was named to head a subcommittee to set up a talent roster. Recently, studios have been flooded with requests for personal appearances, as many as 40 having been received in one day.

Chicago Red Cross Unit

CHICAGO, Dec. 17.—Forty-five women employes of companies along Film Row here met last night to organize for an active part in the new Red Cross theatrical unit being formed by Lucille Ballantine, booking agent.

See U. S. Asking Extension Of Decree Escape for Year

(Continued from page 1)

tially similar decrees from Columbia, United Artists and Universal by that date.

Acting on the Government's application yesterday, Federal Judge Henry W. Goddard restored the "Little Three" anti-trust suit to the day calendar of the District court here for February. It is likely to be called for trial within two weeks following its restoration to the calendar.

'Anxious' for Decree

In taking that action, Judge Goddard stated: "I am anxious to see the decree carried out. Too much work has been put into it by all of us to permit it to fall by default.

Restoration of the suit to the calendar was objected to by Benjamin Pepper of O'Brien, Driscoll & Raftery, counsel for United Artists and Columbia, and Louis D. Frohlich of Schwartz & Frohlich, counsel for Columbia. They pointed out that the Government only recently moved for trial of the Schine circuit anti-trust suit, in which the "Little Three" also are defendants, in Federal court at Buffalo, with the result that the case was set down for trial on March 3. They contended that the trial will consume several months and reminded Judge Goddard that on several occasions he has told them that he would not require them to defend two of the Government's actions simultaneously.

Judge Goddard responded that "this court will be fair," and indicated that he will not insist upon the New York suit going to trial when it is called in February, or later, if such a trial were to work an unreasonable hardship on the defendants.

Wants Trial Limited

Wright proposed that a trial of the New York suit should be confined only to the sections of the Government's complaint which relate to block booking and blind selling, which, he contended, would make possible a decision in the case by June 1. A Government victory in such a trial would meet the requirements of the decree escape clause and would continue the decree in full force beyond June 1. Both Pepper and Frohlich objected to "a piecemeal trial" of that nature.

They told the court that the Government now found itself pressed for time in the face of the escape clause only because the Department of Justice has been "remiss" in not bringing the New York suit to trial ahead of the Crescent and Schine circuit cases.

"We shouldn't be penalized for that," Pepper said.

"We can be ready to try this case," Frohlich said, "but not the Schine case at the same time."

Frohlich indicated that the "Little Three" counsel might apply to Federal Judge John C. Knight at Buffalo for a postponement of the Schine trial later in order to allow time for preparation and trial of the New York suit. Judge Goddard said that another conference on the trial date of the local suit would be held when the case is called next February.

Stanley Thompson, Loew's home office attorney, who was present at the hearing, asked that notice be given the consenting companies in the event the Government decides to apply to Judge Goddard for an extension of the escape clause deadline. Both the court and Wright agreed to this. Thompson pointed out that any extension of the deadline beyond June 1 probably would mean another year of the trade show and block-of-five provisions, since the companies begin their new production and sales seasons at that time, and could not reverse their policies in mid-season.

Loew's to Resume Minnesota Selling; Given Law 'Escape'

Loew's will resume selling in Minnesota immediately as a result of the signing of an order by Federal Judge Henry W. Goddard yesterday granting the company an exemption from the anti-trade show and block-of-five sales provisions of the consent decree.

The exemption permits the company to operate in Minnesota without violating the state's anti-block-of-five law.

Stanley Thompson, Loew's home office attorney, presented the order, which had been agreed upon with Robert L. Wright, special assistant to the U. S. Attorney General. Loew's was the last of the five consenting companies to seek and obtain the court exemption from the decree for Minnesota selling.

All companies now are selling in Minnesota under the state law, which requires distributors to offer an entire season's output at one time with a 20 per cent cancellation right.

Civil Defense Films Set by Studio Group

(Continued from page 1)

pleted by Nunnally Johnson and Owen Crump and production was started at 20th Century-Fox today under the direction of Irving Pichel. Army training films are shown only to armed forces and are restricted under military secrets and espionage acts.

Raises Saturday Price

LANCASTER, Pa., Dec. 17. — Ray O'Connell, manager of the Capitol, has increased Saturday prices.

Phila. Union Elects

PHILADELPHIA, Dec. 17.—Ferdinand Fortunate has been reelected president of Local B 7 of the Film Exchange Employes union here. Other officers are: Edward Reckafus, vice-president; James McWilliams, secretary; Marie Hause, treasurer; James Flynn, business manager; Harry Appell, sergeant-at-arms; Mae Radigan and John Wagman, board of trustees.

English Film for PRC

"Angel of Terror," Edgar Wallace mystery, is to be produced by Pathe in England, and will be distributed in this country by Producers Releasing.

5-Block Law Hurts Sales, Wobber Says

(Continued from page 1)

mony today. His testimony was substantially similar to Wobber's.

Wobber pointed out that sho deals, spilt deals and spot bookin were outlawed by the anti-block-o five statute and that all were conve ient and widely used practices throug out the trade. He also pointed o that the Minnesota exchange territo includes not only that state, whe the statute is in effect, but also Nor Dakota, South Dakota and part Wisconsin, where the five consentin distributors must operate under t terms of the consent decree. Th creates a problem within the bran office itself, he pointed out.

Wobber Describes Distribution

Wobber traced his 34 years ass ciation with the industry and d scribed distribution functions. H testified the Minneapolis territo normally is serviced with six to prints of a film. The average pla ing life of a feature is only ni months, he said, and cited one ca where license revenues ran fro $200,000 for the first 34 weeks of t picture's run, to $10 and $12.50 abo 18 months later. He said that un the consent decree went into effe there was no uniform method of sal

Joy testified that 35 to 50 per ce of a year's group of pictures requir work outside of California. He sa the footage cost out of that sta however, was of a much smaller pe centage. The exchange and borro ing of stars is on a friendly basis, testified, but that competition betwe studios is keen and the trading pra tice doesn't lessen competition. studio has enough stars under co tract to fulfill all of its needs in ce tain pictures, he said.

Essaness Moves Several Manager

CHICAGO, Dec. 17.—Several ma ager and assistant manager chang have been made the Essaness Theatr circuit here. On release from Arm duty, Carl Levine, formerly with t company, was appointed manager of t Biograph Theatre, succeeding Isado Comode who replaced Roy Zermain manager of the "400" Theatre. Zerma became manager of the Buckingha replacing Earl Silverman who we to the Vic Theatre.

Walter Gessler has returned to t circuit as assistant manager of t Crawford. Raymond Kanoff we from there to assistant manager the "400" and Joe Winninger becan an assistant manager at the Nor Center Theatre.

NLRB Certifies IA

WASHINGTON, Dec. 17.—The N tional Labor Relations Board tod certified the IATSE as the sole co lective bargaining agency for the pr duction employes of the Alexand Film Co. and Alexander Preview C Colorado Springs, Colo.

Willkie Cites Film Freedom In War Crisis

(*Continued from page* 1)

he world of entertainment at the organization luncheon meeting held at he Hotel Astor by the theatre divi-ion of the National Conference of Christians and Jews, in that society's ew budget campaign to raise $300,000.

Willkie was the chief speaker of the occasion. J. Robert Rubin, chairman of the theatre division, was toastmaster. In attendance among the many noted people of the business were Martin Quigley, Nicholas M. Schenck, Jack Cohn, George J. Schaefer, Will Hays, Louis Nizer, Herman Robbins, John Hicks, William F. Rodgers, Tom Connors, Russell Holman, Nate Spingold, David Lipton, John Byram, Ned Depinet, N. Peter Rathvon, Maurice Kann, Malcolm Kingsberg, Gordon Youngman, Herbert Yates, Marc Connolly, Moss Hart, Max Gordon, Howard Dietz, Joseph Vogel, Robert Savini, W. C. Michel, Silas Seadler, Arthur Mayer and others.

Those on Dais

On the dais with Willkie and Rubin were Martin Quigley, George J. Schaefer, Basil O'Connor, Dr. Everett Clinchy, Rabbi Morris Lazaron, Jack Cohn, Will Hays, Nicholas M. Schenck and Louis Nizer.

Among other speakers who addressed the meeting were Dr. Everett Clinchy, president of the National Conference of Christians and Jews; Jack Cohn, Rabbi Morris Lazaron of Baltimore, and Basil O'Connor. O'Connor is finance chairman of the National Conference. Rabbi Lazaron was a member of the committee sent by President Roosevelt to Europe to study inter-racial matters such as the Conference is interested in.

Cohn announced that contributions to date to the campaign were gratifying and predicted that it would be successful.

A 16 mm. film, "The World We Want to Live In," produced by Columbia Pictures for the Conference, was shown. This film is intended for showing in schools, churches and similar community groups. It was well received.

Willkie's Address

Willkie's speech in part follows:

"It seems almost inconceivable that only some three or four months ago I was associated with some of these very delightful gentlemen present here today in defending the right of the great popular medium—the motion picture—for free expression. It seems almost impossible that it was necessary two or three months ago to defend their right to show pictures depicting Nazi injustice and horror. Yet we have advanced so far so rapidly that nobody would want this great medium of public information to do otherwise today than to bring to the American people stimulation of their own activities by pictures of this great struggle that is going on in the world, and I have no doubt that they will perform their duty thoroughly and magnificently during this period in carrying out their part of the national program.

"I do not think that even as yet the American people realize the character of the struggle in which we are engaged. We speak of the historic times of the establishment of this nation as one of the great periods of yesterday, and a period of trial. We frequently refer to the period of the War between the States as another great period of trial. In comparison with them, the United States faces a far more troublesome period, a period of greater trial than it has ever faced.

"Before this war has gone much further the standard of living of every person in America must be reduced and every man in America must work harder. We must grow strong and tough and end our flabbiness and our softness. We must become men and women who are willing to fight and willing to die, and willing to sacrifice and sacrifice and sacrifice, and sacrifice completely.

"In the periods when men must sacrifice their daily habits of living, when men must sacrifice and men must die, always there arises under such conditions the spirit of intolerand prejudice. Men and women become suspicious of each other. Men and women begin to point the finger of scorn at others and at their beliefs, and I am here today—and I expect to appear on many other occasions such as this, in order to raise my voice every time it appears, against the slightest touch of intolerance arising in America at this time.

"We must preserve the civil rights of this country and the freedom of expression, or all of our sacrifices will be in vain.

"This is the kind of cause that many people forget during a crisis of the present kind when there are so many calls, and when they must consider what they can give and how they can give it, but you cannot give to a better thing than one that stands for what all Americans believe—that during a period of stress and strain we—all of us—all of us Americans—may have our birthright of freedom and liberty."

Huston to Join Army

HOLLYWOOD, Dec. 17.—John Huston, Warner director, will join the Army as a captain in the Signal Corps when he completes work on his current film.

Seats Donated

Buffalo Dec. 17.—The 1,500 seats being removed from the balcony of the Twentieth Century Theatre are being offered free to any church or patriotic organization which wants them, according to John G. Finley, manager. Finley said if the seats are not taken, they will be turned over to the Government for scrap metal.

Coast Writers Form Civil Defense Group

HOLLYWOOD, Dec. 17.—About 200 freelance publicity men at a meeting today voted to cooperate with the Hollywood Writers Mobilization for Civilian Defense. The group, consisting of film, radio and publicity writers, has been formed to aid national and local defense officials. The freelance unit will meet Tuesday to adopt a permanent form.



MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 21	The Men in Her Life (D) *Loretta Young Conrad Veidt* (1941-42)	Unholy Partners (D) 209 The Chocolate Soldier (M) 208 Shadow of the Thin Man (D) 210 Two-Faced Woman (C) 211	Underground Rustlers (O) *Range Busters* (1941-42)	Skylark (C) 4107 *Colbert-Milland* (1941-42)		Missouri Outlaw (O) 173 *Don Barry* (1941-42)	Look Who's Laughing (C) *Edgar Bergen McGee & Molly* (1941-42)	Rise and Shine (C) 219 *Jack Oakie Geo. Murphy* (1941-42)		Moonlight in Hawaii (C) Quiet Wedding (C) (1941-42)	
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)		I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)			Mexican Spitfire's Baby (C) 210 *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Fiesta (M) *Armida* (Streamliner) (1941-42)	Keep 'Em Flying (C) *Abbott-Costello* (1941-42)	
Dec. 5	Sing for Your Supper (C) *Buddy Rogers* (1941-42)	H. M. Pulham, Esq. (D) 212 *Hedy Lamarr Young-Hussey* Kathleen (D) 215 *Shirley Temple Herb. Marshall*	Borrowed Hero (D) Lone Star Law Men (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* (1941-42)	Tuxedo Junction (D) *The Weavers Frankie Darro* (1941-42)		Swamp Water (D) 218 *Huston-Brennan* (1941-42)		Sealed Lips (D) *William Gargan* (1941-42)	The Body Disappears (C) 111 *Lynn-Wyman* (1941-42)
Dec. 12	Honolulu Lu (D) *Lupe Velez* (1941-42)		Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 (1941-42)	Red River Valley (O) 152 *Roy Rogers* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	The Wolf Man (D) *Claude Rains* (1941-42)	Steel Against the Sky (D) 112 *Alexis Smith* (1941-42)
Dec. 19	Harvard, Here I Come (C) Riders of the Badlands (O) (1941-42)	Design for Scandal (C) 213 *Rosalind Russell Walt. Pidgeon* Tarzan's Secret Treasure (D) 214 *J. Weissmuller M. O'Sullivan*	Road to Happiness (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	West of Cimarron (O) 163 *3 Mesquiteers* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornel Wilde* (1941-42)		Melody Lane (C) Road Agent (D) (1941-42)	
Dec. 25	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)		Forbidden Trails (O) *Rough Riders* (1941-42)	Louisiana Purchase (M) *Hope-Zorina* (1941-42)	Blonde Comet (D) 116 *Robert Kent* (1940-41)	Mr. District Attorney in the Carter Case (D) (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)	How Green Was My Valley (D) 224 (1941-42)	Corsican Brothers (D) Dudes are Pretty People (C) (Streamliner) (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	You're in the Army Now (C) 113 *Jimmy Durante* (1941-42)
Jan. 2		Babes On Broadway (M) 216 *Rooney-Garland*	Freckles Comes Home (D) *Johnny Downs* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd* (1941-42)	Arizona Terrors (O) 174 *Don Barry* (1941-42)		Remember the Day (D) 226 *Colbert-Payne* (1941-42)		Don't Get Personal (C) *Hugh Herbert* (1941-42)	They Died With Their Boots On (D) 114 *Errol Flynn* (1941-42)
Jan. 9	Confessions of Boston Blackie (D) *Chester Morris* (1941-42)	Dr. Kildare's Victory (D) 217 *Lew Ayres*	Thunder River Feud (O) Here Come the Marines (D) (1941-42)		Lone Rider and Bandit (O) 263 Girls' Town (D) 202 (1941-42)	Lady for a Night (D) *Blondell-Wayne* (1941-42)		Blue, White and Perfect (D) 227 *Lloyd Nolan* (1941-42)		Jail House Blues (C) *Robert Paige* (1941-42)	All Through the Night (D) 116 *Bogart-Veidt* (1941-42)
Jan. 16	Blondie Goes to College (C) *Singleton-Lake* (1940-41)	Johnny Eager (D) 218 *Taylor-Turner*	Snuffy Smith, the Yard Bird (C) *Edgar Kennedy* (1941-42)		Duke of the Navy (D) 206 *Ralph Byrd* (1941-42)	Man From Cheyenne (O) *Roy Rogers* (1941-42)	A Date With the Falcon (D) 213 (1941-42)	Gentleman at Heart (C) 228 *Romero-Landis* (1941-42)	Twin Beds (C) *Joan Bennett George Brent* (1941-42)	Paris Calling (D) *Randolph Scott* (1941-42)	
Jan. 23	Cadets On Parade (D) *F. Bartholomew* (1941-42)	Mr. and Mrs. North (C) 219 *Gracie Allen*	Man From Headquarters (D) *F. Albertson* (1941-42)		Today I Hang (D) 214 *Mona Barrie* (1941-42)	Pardon My Stripes (D) *William Henry* (1941-42)	Four Jacks and a Jill (C) 214 *Ray Bolger* (1941-42)	Right to the Heart (D) 229 *Brenda Joyce* (1941-42)		North to the Klondike (D) *Brod. Crawford* (1941-42)	
Jan. 30	Close Call for Ellery Queen (D) *William Gargan* (1941-42)	The Bugle Sounds (C) 220 *Berry-Main*	Below the Border (O) *Rough Riders* (1941-42)		The Strangler (D) *Judy Campbell* (1941-42)	Cowboy Serenade (O) Riders of Sunset Trail (O) (1941-42)	Obliging Young Lady (C) 215 *Joan Carroll* (1941-42)	Son of Fury (D) 230 *Tyrone Power Gene Tierney* (1941-42)		Treat 'Em Rough (C) *Eddie Albert* (1941-42)	
Feb. 6	Man Who Returned to Life (D) *John Howard* (1941-42)		Law of the Jungle (D) *Manton Moreland* (1941-42)		Broadway Big Shot (D) *Ralph Byrd* (1941-42)	A Tragedy at Midnight (D) *Lindsay-Howard* (1941-42)		Young America (C) 231 *Jane Withers* (D) (1941-42)		Bombay Clipper (D) Jungle Fury (D) (1941-42)	

After Titles denote the following: (D) Drama, (M) Musical, (C) Comedy, (O) Western

Two-Faced Woman' Is Reclassified by Legion of Decency

(Continued from page 1)

aced Woman,' starring Greta Garbo nd Melvyn Douglas, Metro-Goldyn-Mayer has caused certain hanges involving additions and elimnations in the production. The origal version will be withdrawn from rculation following existing conractual commitments and the revised ersion will be made available on all uture bookings.

Affirm Moral Standards

"M-G-M wishes, at this time, to afirm its adherence to a policy of proiding only motion picture entertainnent of the highest artistic and enertainment quality, all of which is to e in conformity with reasonable tandards of morality and good taste.

"To the end of maintaining right noral standards in the entertainment roduced by this company, it has een and shall continue to be our olicy to produce motion pictures in ccordance with the moral standards f the Motion Picture Production ode.

"The Production Code, which is he basis of the organized industry's ystem of self regulation, represents a practical application to public creen entertainment of the fixed obective standards of morality which, fter several years' experience has roven itself to be a reasonable and ractical measure in the public interest."

Statement by Legion

The Legion of Decency issued the following statement yesterday:

"Metro-Goldwyn-Mayer has made changes in the motion picture 'Two-Faced Woman.' These changes have involved additions and eliminations.

"The Legion of Decency after review of the revised version has deemed the revisions sufficient to warrant the removal of the picture from the 'C' or 'Condemned' classification to the 'B' classification.

"Metro-Goldwyn-Mayer is to withdraw the present version and substitute for all future bookings the revised version.

"The Legion appreciates the cooperation of Metro-Goldwyn-Mayer in bringing about this result."

Odeon Completes Building Program

TORONTO, Dec. 17.—Odeon Theatres, controlled by N. L. Nathanson, has finished its building program for the duration of the war in Eastern Canada with the opening of the 1,000 seat Odeon at Kingston, Ont., Gordon Beavis is manager.

James Kadurka, former manager of the new Odeon at Sarnia, Ont., has been appointed manager of the Avalon Ottawa, by H. C. D. Maine, Odeon supervisor, while L. M. Moore is now manager of the Sarnia house. Moore formerly was at the Broadway, Timmins, recently taken by Famous Players.

Open Kansas Theatre

PARSONS, KAN., Dec. 17.—The Parsons, new 1,400-seat house of the H. J. Griffith circuit, will be opened this week. Barnes Perdue is manager.

Reviews

"Hellzapoppin'"

(Universal)

A SCREEN foreword on this Mayfair production by Jules Levey points out that any connection between this and a motion picture is purely coincidental—and that is approximately correct.

For those who like their comedy with music and an endless—and quite noisy—procession of antics, this should prove popular and amusing entertainment.

All the bars are down on a conglomeration of completely insane nonsense, "suggested by" the apparently endlessly popular stage show of the same name featuring Ole Olsen & Chic Johnson. It would appear that the measure of success enjoyed by the stage show in various parts of the country would mark the measure of box-office success for the film.

It must be sold as novel nonsense of the Olsen & Johnson variety. To attempt to indicate the sequence of occurrences—for that is all there is—appears virtually impossible. It is a story about a story about nothing, with a romantic thread which appears to serve merely to hold the component parts from flying completely apart.

Olsen & Johnson talk to the audience; they disappear; chorus numbers appear, on a stage and in a swimming pool; music is heard, songs are sung; the stunts run from Rube Goldberg cigar lighters and old-fashioned slapstick to new-fashioned horseplay. Supporting the cast leaders are Martha Raye, Hugh Herbert and Mischa Auer, specializing in the comedy, and Jane Frazee and Robert Paige, handling the romance and the songs. Glenn Tryon and Alex Gottlieb produced, and H. C. Potter directed, while the music was written by Don Raye and Gene de Paul.

Running time, 84 minutes. "G."* CHARLES AARONSON

*"G" denotes general classification.

"Hatter's Castle"

(Paramount-British)

London, Nov. 16 (By Mail)

THE name of A. J. Cronin still means something to the British public and it is probably on this and the pull of his novel that the British exhibitor will seek to sell this newest Paramount-British film.

The subject is gloomy, and the film has been directed and acted with a deliberate inclination towards the melodramatic and somber. While it is in a sense escapist, since it is entirely removed from the present and preoccupations of war, it does not necessarily follow that jaded and nerve-strained wartime audiences will take kindly to its unrelieved solemnity.

The performance of Robert Newton, as the egomaniac Mad Hatter, whose craze for power is the inspiration of the story, is a dominating one and marks the actor as one of the British films' leading artists. Others in the cast are Deborah Kerr, as the daughter; Enid Stamp-Taylor, as the other woman; Emlyn Williams and James Mason, all known to British audiences and all giving good performances.

Although the essential theme in "Hatter's Castle" is the power mania of James Brodie, leading hatter of Levinford, the picture is heavy Victorian melodrama in a modern medium.

The film is for the most part adequate technically, with the camera work a notable factor in this regard.

Running time, 108 minutes. "A."* AUBREY FLANAGAN

**"A" denotes adult classification.

"The Royal Mounted Patrol"

(Columbia)

THIS action film should please the followers of that type of picture. Dealing in the first part with the lighter aspects of the Mounties' curriculum and subsequently developing into more rugged entertainment, the film is nicely balanced and away from routine.

Charles Starrett, Russell Hayden and Lloyd Bridges join the service, train together, and have girl (Wanda McKay) problems. The scene shifts to the backwoods where Miss McKay's brother, Donald Curtis, and his crew are cutting too much timber. At this point comes the action. Starrett and Bridges, in charge of the district, are joined by Hayden, member of the air corps, bringing medical supplies for native children. Miss McKay comes to teach. After some minor run-ins, Curtis sets the forest ablaze as an excuse to move his timber. After escaping the fire, Starrett and the Mounties set out for Curtis, and eventually get their man. Lambert Hillyer directed. William Burke producer.

Running time, 59 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.



THE PAY-OFF ON A BIG PICTURE

HERE'S just on inkling of the THRILLING behind-the-news story OF Republic's "THE DEVIL PAYS OFF"—just enough to whet your APPETITE for one of the most AMAZING screen stories of the YEAR!... Hiding behind his clook OF respectability os o shipping MAGNATE, Arnold de Brock (PLAYED to perfection by J. EDWARD BROMBERG), hos



DEVISED a FIENDISHLY clever PLOT to sell ships to THE United States GOVERNMENT for USE in the Atlantic LIFE-LINE to Britain—AND then to make a DEAL with his country's ENEMIES so that they MIGHT destroy the SHIPS before they can BE delivered... An ALMOST unbelievable SCHEME—and yet, it *MIGHT* happen!...how HIS own beautiful wife (PLAYED by OSA MASSEN) unwittingly LEADS the traitor INTO the clutches OF the very forces HE seeks to DESTROY makes





FOR tense excitement ond ABSORBING drama!...In addition TO those already mentioned, IMPORTANT roles ore filled by HANDSOME WILLIAM WRIGHT,



BEAUTIFUL MARGARET TALLICHET and talented ABNER BIBERMAN... If you're LOOKING for up-to-the-minute THRILLS and action, don't miss "THE DEVIL PAYS OFF!"...It's

A REPUBLIC PICTURE

F.C.C. Authorizes New Iowa Station, Changes in Power

WASHINGTON, Dec. 17.—The FCC has issued a construction permit to the Iowa Great Lakes Broadcasting Co. for a new 1,240-kilocycle, 100-watt station at Spencer, Ia., and authorized five stations to increase their power.

The power requests approved were those of Stations WERC, Erie, Pa., for increase of night power from 100 to 250 watts; WMVA, Martinsville, Va., for increase of night power from 100 to 250 watts; WSBT, South Bend, Ind., for increase from 500 to 1,000 watts; KOY, Phoenix, Ariz., for increase of day power from 1,000 to 5,000 watts; and WWNY, Watertown, N. Y., for increase from 500 to 1,000 watts, extension of time from day to unlimited and change of frequency from 1,300 to 790 kilocycles.

Orders Several Hearings

The commission ordered hearings held on the applications of the Genesee Broadcasting Corp. for a new 600-kilocycle, 1,000-watt station at Flint, Mich.; WTBS Radio Co., Inc., for a 600-kilocycle, 1,000-watt station at Toledo, O., and Stations WHEC, Rochester, N. Y., for change of frequency to 790 kilocycles and increase of power to 5,000 watts; WGRC, New Albany, Ind., for change of frequency to 790 kilocyles and increase of power to 1,000 watts night, 5,000 watts day; and WKPT, Kingsport, Tenn., for change of frequency to 790 kilocycles and increase of power to 1,000 watts.

A construction permit for a new 1,490-kilocycle, 250-watt station has been asked by the Ludington Broadcasting Co., Ludington, Mich.

The commission also has been asked by Station WGBI, Scranton, Pa., for an increase of power from 500 watts day, 1,000 watts night, to 5,000 watts, and by Station WJNO, West Palm Beach, Fla., for change of frequency from 1,230 to 1,430 kilocycles and increase of power from 250 to 1,000 watts.

Toronto Executives See B. C. Blackouts

TORONTO, Dec. 17.—The war crisis on the Pacific Coast found a number of Toronto trade executives at Vancouver, B. C., where they gained first-hand information on the effect of air raid warnings and blackouts on theatre business. Among them were President Paul Nathanson and General Manager Haskell Masters of Odeon Theatres of Canada, Ltd., and H. T. Long, general manager of Associated Theatres, Ltd., Toronto, who was looking after Odeon developments until the arrival of Masters on his first trip to the Coast as a circuit official.

According to information received in Toronto, theatre patronage at Vancouver first run houses was at a minimum on the three nights of the total blackout. On the following night, when the street lights were permitted again, theatre receipts were equal to the combined take of the three black nights.

Mono. Gets British Film

HOLLYWOOD, Dec. 17.—Monogram today announced acquisition of "Continental Express," British film featuring Rex Harrison, John Loder and Valerie Hobson.

Off the Antenna

FORMAL dedication of W53H, the FM station of WTIC, Hartford, will take place some time in March when a new antenna now under construction will be put into operation. The station made its bow as a commercial FM outlet Monday. Two sponsors have already been signed. . . . W2XQR, the WQXR FM experimental station, returned to the air yesterday from its new location atop the Chanin Building. The station, with 10,000 watts and renamed W59NY, will start commercial operation shortly, it was said yesterday. . . . W71NY, the WOR FM station, will be host to more than 100 advertising agency executives at an "FM party" to be given jointly by the WOR and W71NY sales staffs at noon today.

• • •

Purely Personal: *George Lowther, drama program director of the NBC recording division, has been made a member of the British-American Ambulance Corps committee in recognition of his production of a special souvenir Christmas program. . . . Una Merkel will be guest of Dorothy Killgallen on "The Voice of Broadway" over CBS at 11:30 P.M. Saturday.*

• • •

Bill Berns, film reviewer for WBYN, has polled the film critics of all New York City radio stations, and will award what he designates as "Oscars" to winners on his WBYN program, 1:50-2 P.M. today. Awards will go for the best picture, production, direction, actor, actress, supporting player, music photography and newcomer, and will be made in the name of the Film Critics of the Air.

• • •

New business reported by WHN includes sponsorship of "Newsreel Theatre of the Air" by Morris Plan Industrial Bank, renewal by Hearn Department Store of "Kiddie and Quiz Show," renewal by Paul Kaskel & Sons of participations in "Music Shop," spot announcements by Paramount for "Birth of the Blues," five-minute daily talks by Simon & Schuster for its tax instruction book, and spot announcement contracts by Dill Co. and P. Duff & Sons.

• • •

Program News: *Wrigley Gum has extended Gene Autry's Sunday night show over CBS from 25 minutes to 45 over 72 stations. "Melody Ranch" will therefore take up the entire 6:30-7:15 spot and "Dear Mom" will be discontinued. Wrigley will add another show on the network for Thursday nights some time in January. . . . Procter & Gamble has added 18 more NBC-Red stations for "Truth or Consequences," bringing the total to 63 stations, effective Jan. 3. . . . International Salt will sponsor "Wife Saver" Saturdays, 10:30-10:45 A.M. over 20 NBC-Red stations beginning Jan. 10. "America the Free," sponsored by Anacin, will shift from 10:30-11 A.M. to 11:30-noon. . . . Cummer Products has renewed "Manhattan at Midnight" for another year over NBC-Blue, adding 10 stations and bringing the total to 60.*

Daylight Saving Time Proposed for Calif.

Hollywood, Dec. 17. — The Los Angeles city council and county board of supervisors today recommended the passage of daylight saving time legislation by the Legislature as a war time measure.

Daylight saving proposals have been defeated about four times in the last 13 years in California. Theatre groups usually have headed the opposition.

Seattle FM Station Building Proceed

SEATTLE, Dec. 17.—Installation o the Pacific Northwest's first FM broadcasting station, for coordinatio of Seattle and King County law en forcement work, will proceed as pre viously scheduled.

It was at first believed that Arm authorities might object to the installa tion, but word has been received b city officials from Gen. Carlyle H Wash of the 2nd Interceptor Comman that the Command "has no objectio to the continuous use of a FM radi station" for the use of Seattle polic and sheriff's offices.

Heads Reading Union

READING, Pa., Dec. 17.—Frank Diefenderfer has been reelected pres dent of the local musicians' union f his 22nd consecutive term. George Haller was elected vice-president Edward A. Gicker, secretary; Georg W. Snyder, treasurer.

Western Pa. Park Gross Up for 1941

PITTSBURGH, Dec. 17.—Amusement park business last Summer in western Pennsylvania was from 15 to 35 per cent ahead of 1940 grosses, a survey of park managers indicated. Opinion was varied on the gate-pulling power of free acts and traveling name bands. Indications are that 1942 business, judging from industrial payrolls and advance picnic bookings, will be even better than this year's.

Blessed with fair weather, most of the Summer, the parks enjoyed heavy attendance of booked outings, and brisk transient trade. Although none of the district parks exact gate admissions and therefore are unable to record the exact total attendance figures, most park managers believed that per capita spending was up, as well as attendance. Nine amusement parks operated in this area last Summer.

Books Admission to 'Corsican' Opening

At the opening of the United Artists-Edward Small film, "The Corsican Brothers" at the Palace in Washington today, anyone bringing books to the theatre between 10 A. M. and 1:30 P.M. will be admitted free.

The arrangement has been sponsored by the Newspaper Women's Club of Washington, and is designed to obtain books for the armed forces of the country. Many books already have been contributed since announcement of the plan.

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The subtlest enemy to your investment in good projection and sound is *deterioration* of the equipment and its parts. You can checkmate this enemy—by protecting your projection room with Altec Service. The accumulated scientific experience of Altec Service is your prime mechanized defense against preventable replacement costs. To the forward-looking exhibito faced with the effects of met shortages, Altec Service is, mo than ever before, *a prime essenti* of good showmanship.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 121 NEW YORK, U.S.A., FRIDAY, DECEMBER 19, 1941 TEN CENTS

Bob Hope Is 1941 Winner Of Radio Poll

Chosen by 600 Editors In Sixth Annual Vote

By EDWARD GREIF

Make way for the new Champion of Champions, Bob Hope! The funny man of the Pepsodent show was accorded top honors by the more than 600 newspaper radio editors and columnists of the United States and Canada, participating in MOTION PICTURE DAILY'S sixth annual radio poll on behalf of *Fame*.



Bob Hope

Hope thus becomes the third radio star to win top honors in six years of voting. Edgar Bergen, aided by the wooden-topped Charlie McCarthy, was named top man three years; Jack Benny, who won last year, was also the leader in the first poll.

The complete tabulation of the voting in the *Motion Picture Daily* poll is on Page 6.

This year's voting showed many shifts in the radio editors' tastes and, if past polls are any indication, the results presage a change in the public's taste as well.

Following Hope in the Champion of Champions classification, were Benny, who has never been lower than second, and Bing Crosby, another perennial favorite, who was also in the third spot last year and the year be-

(*Continued on page 6*)

See Ascap Dividend Rising to $3,500,000

Ascap directors have authorized a final quarterly dividend which, according to present indications will amount to between $800,000 and $850,000. The final computation has not been completed.

The indicated dividend will make a total of approximately $3,500,000 distributed by the society for 1941, as compared with $4,500,000 for last year.

Schine Will Seek Later Date Than March for Trial

BUFFALO, Dec. 18.—Defendants in the Government's anti-trust suit against the Schine circuit, Columbia, United Artists and Universal will be unable to begin trial March 3, "or at any time soon" thereafter, Willard S. McKay, counsel for the Schine defendants, informed the Federal court here today in serving notice of a motion for reargument of an order setting the case for trial on that date.

McKay said he had been unable to be present at the hearing when the March 3 trial date was set and that he had never received a letter notifying him of the motions for the date. His motion for reargument of the order will be heard Dec. 29.

[Counsel for Columbia, Universal and United Artists indicated in New York that they will petition the court at the Dec. 29

(*Continued on page 10*)

War Group Theatre Unit Holds Session

The theatres division of the War Activities Committee—Motion Picture Industry met yesterday at the office of Joseph Bernhard, division chairman, to receive instructions and plan arrangements for transforming the organization's activities to a war time footing from its former function of national defense cooperation.

No official statement was issued following the meeting but it is un-

(*Continued on page 10*)

'Carry On' Montague Urges Sales Forces

The Columbia sales organization was urged to "carry on with everything you have" in this emergency, by Abe Montague, general sales manager, in a message sent department members yesterday.

"You must know that there has never been a greater morale builder invented by man than the motion picture," Montague said in part. "We in this business are obligated to see to it that nothing happens to keep it from giving full benefits to the greatest number of people."

War Cancels 1942 Academy AwardBanquet

HOLLYWOOD, Dec. 18.—The board of governors of the Academy of Motion Picture Arts and Sciences late last night cancelled the annual Academy Awards banquet, which had been set for Feb. 26. War conditions were cited as the reason for the decision, which was reached by unanimous vote.

The step is in line with the cancellation of the Rose Bowl football game, the Pasadena Tournament of Roses, the Santa Anita race meet and

(*Continued on page 10*)

Editors Tell What's Right —Or Wrong—About Radio

By SAM SHAIN

Newspaper radio editors and columnists throughout the country and in Canada were asked to express their views on the state of radio in connection with their own participation in MOTION PICTURE DAILY'S sixth annual radio poll, conducted on behalf of *Fame*, the results of which will be found elsewhere in this issue. What these men and women, keenest moulders of public opinion themselves, observers and listeners of this most potent force in American life, think is right or wrong with radio follows, in sample form, sectionally broken down by states.

The poll was taken before the Japanese war, and the answers therefore in some instances do not reflect developments of the last two weeks in radio.

New York: "Radio is a streamlined version of what our ancestors dreamed we'd be, educational, broadminded, informal, informative, and matured. . . . In season, when broadcasting football games, there is too much duplication. . . . The radio industry can use good showmen to inject some originality and new talent."

Texas: "Radio had one of its worst years from the standpoint of listener appeal. The ASCAP-BMI fight knocked out the best music. Programs were better organized although the leaning to quiz shows is still very heavy. Many variety shows are

(*Continued on page 11*)

Big New Year Business Is Seen on B'way

Public Expected to Be Seeking Gaiety

A New Year's Eve greater than any before is expected by Broadway theatre men who will have top-notch product from all major distributors for the holiday.

Within the next two weeks, it is believed, the public will adjust itself to war conditions and will be in the mood for entertainment to welcome the new year.

Most first runs will bring in new shows Dec. 31, although some will hold over feature and stage attractions opening Christmas Day. All houses will give extra performances, some remaining open all night and others until four or five o'clock in the morning. As in previous years, most managers will keep the show going as long as there is business.

M-G-M's big musical, "Babes on Broadway," with Mickey Rooney and

(*Continued on page 8*)

Grosses Reported Above Last Year's

Despite the reaction of the public to the outbreak of war last week, national grosses for the seven days from Dec. 7 through Dec. 13 were above the grosses for the corresponding period a year ago, according to the early business reports to home offices of national circuits.

The decline in receipts for the week, compared with the preceding week, was sharper than the decline for the two comparative periods a year ago. The greater decline this year is attributed by circuit officials

(*Continued on page 8*)

Wobber Hits Legal Restriction on Films

ST. PAUL, Dec. 18.—Herman Wobber, 20th Century-Fox director of distribution, continued on the stand today in the trial of the criminal actions against Paramount, RKO and 20th Century-Fox for violations of the Minnesota anti-block-of-five law in Ramsey County district court here.

Wobber's testimony again tended to support the defense contention that the film industry is not properly sub-

(*Continued on page 10*)

Staff Buys Defense Stamps Each Week

Chicago, Dec. 18.—The entire staff of the RKO exchange here, numbering 46 employes, have pledged themselves to buy approximately $100 worth of U. S. defense stamps every week on a payroll allotment plan. The move was entirely voluntary on the employes' part.

Circuits Distribute Data on Air Raids

All major circuits are informing their managers in the field of air raid precautions and measures to be taken in event of blackouts, it was learned yesterday. Among these, Paramount, it was announced, has sent to its theatre affiliates a complete plan for air raid emergencies, including instructions for training of theatre staffs. The plan was prepared by Henry Anderson, manager of Paramount's insurance department.

In Buffalo, more than 60 Western New York theatre owners met yesterday with Police Commissioner Austin J. Roche to make plans for darkening their houses on the night of Buffalo's first blackout, scheduled for Dec. 26 at 11 P. M.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
"H. M. PULHAM, Esq."
An M.G.M Picture with
HEDY LAMARR • ROBT. YOUNG
RUTH HUSSEY
With the Music Hall's
Great Christmas Stage Show
1st Mezzanine Seats Reserved. Circle 6-4600

BING CROSBY MARY MARTIN
In Paramount's
"BIRTH OF THE BLUES"
IN PERSON ORRIN TUCKER and Band featuring WEE BONNIE BAKER
PARAMOUNT TIMES SQUARE

Don Ameche Joan Bennett
'CONFIRM or DENY'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
CARY GRANT-JOAN FONTAINE
in 'SUSPICION'

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY"
United Artists RIVOLI Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

Personal Mention

E. V. RICHARDS is in town from New Orleans.

•

ED KUYKENDALL arrived here yesterday and plans to leave for his Columbus, Miss., home today.

•

JULIUS GORDON, circuit operator of Beaumont, Tex., is in town.

•

R. B. WILBY of the Wilby-Kincey circuit will return to Charlotte today.

•

A. M. BOTSFORD and MORRIS KINZLER are due today from the Coast.

EDWARD C. RAFTERY, GRADWELL SEARS and ARTHUR W. KELLY are scheduled to arrive from the Coast over the weekend.

•

ARTHUR A. LEE plans to leave for Toronto tonight.

•

MORRIS WOLF, Warner attorney in Philadelphia, has been reelected president of the Federation of Jewish Charities in that city.

•

TERRY TURNER has left for Boston.

Pascal to Sign With U.A., RKO Deal Off

HOLLYWOOD, Dec. 18.—Gabriel Pascal said here today he expects to sign a deal in the next few days for release of three pictures through United Artists, having failed to sign a contract for his recently announced distribution arrangements with RKO. The films include "Arms and the Man," for which Ginger Rogers and Cary Grant have been announced; "The Millionairess," from the G. B. Shaw play, and "Snow Goose."

'Star' Talent Cast in Civil Training Film

HOLLYWOOD, Dec. 18.—Don Ameche, Milton Berle and Thomas Mitchell are the "stars" of the first civilian defense training film being made by the Academy of M. P. Arts & Sciences Research Council in collaboration with the Army Signal Corps. The film is being shot at 20th Century-Fox, with Irving Pichel directing. The picture will be shown in theatres.

Davison New RKO Salt Lake Manager

Gifford Davison has been appointed by Ned E. Depinet, RKO vice-president, as branch manager in Salt Lake City, succeeding L. S. Gruenberg, promoted to Rocky Mountain district manager. Davison has been an RKO salesman the past four years.

Dolin WB Manager For Oklahoma City

Walter Dolin has been appointed Warner Bros. branch manager in Oklahoma City, the company announced yesterday. He has been office manager and salesman at that branch. He joined the company in 1931 as salesman.

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H.V. Kaltenborn, America's most famous news analyst, answers the questions your patrons ask.
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War Has Effect on Mexican Industry

MEXICO CITY, Dec. 18.—Although the new phase of the war has not hit the Mexican picture industry hard as yet, its effect has been felt. As one leading exhibitor here said, "The truth is we won't know just how we stand for at least six weeks."

The entry of the United States into the conflict has decreased the theatres' business by about 25 per cent. People are more eager now to read the papers, some of which get out extras almost every day, and to listen to radio than they are to see pictures.

There are no demonstrations during the exhibitions of newsreels and pictures with a war tint. However, there is a marked undertone of sympathy with the United States, in accordance with the national policy of cooperating to the fullest extent with Washington.

The studios are worrying. They fear that the war will curtail their working materials from the United States, their only supply source. There is some alarm that production will have to be sharply cut, though it is not thought that the whole business will be stopped, at least for some time. The National Cinematographic Workers Union has pledged its full cooperation to the Government in the emergency. The general opinion is that labor trouble in the industry has been stopped as part of this pledge.

SPG Defense Meeting Will Be Held Tonight

The first meeting of the Motion Picture Emergency Defense Conference, so designated and sponsored by the Screen Publicists Guild, will be held tonight at the Hotel Piccadilly. Garson Kanin and Capt. John W. Green, radio relations officer of the New York State Guard, are scheduled as speakers.

To Institute Vaudeville

BRIDGEPORT, Conn., Dec. 18.—The Lyric here will open with a new part-week vaudeville policy Jan. 5, according to Harry F. Shaw, division manager. Films only will be shown Monday through Wednesday, while vaudeville will be used during the rest of the week.

U.A. Party Tuesday

United Artists next Tuesday will give a luncheon in the South Lounge of the Rockefeller Center Luncheon Club, for Arnold Pressburger, producer, and Joseph von Sternberg, director of "The Shanghai Gesture."

Newsreel Parade

FIRST pictures of the Japan attack in Hawaii as passed the Army and Navy censors are p sented in the week-end issues. T reels and their contents follow:

MOVIETONE NEWS, No. 30—Japan attack. Labor-industry meeting in Wa ington. American flag production in Ph delphia. Dog show in Chicago. Live show in Chicago. Rabbit round-up. fashions. Sail fishing in Florida. R in Los Angeles. Miami golf tourney op

NEWS OF THE DAY, No. 228—F from Hawaii. Japanese writer joins U Army in Washington. San Francisco pares. Labor meeting in Washing American flags in Philadelphia. Lib Statue dedicated in Chicago. Wom defense service.

PARAMOUNT NEWS, No. 33—Bas ball in New York. Louis-Baer sign bout. Skiing in Washington. War tivity in Washington, D. C. Axis ag convicted in Brooklyn. New York wo join defense service. Enlarged zoo Memphis. Honolulu attack.

RKO PATHE NEWS, No. 33—Ha attack. Holiday spirit in New Y Cuba rounds up aliens. Mexican pl in Arizona. Navy sets up press dep ment in Washington. Labor meeting Washington. Washington becomes b town.

UNIVERSAL NEWSREEL, No. Japanese raid on Honolulu. New Y women learn defense methods. Congr men join Washington police force. M can planes arrive in Arizona. Sec Eagle Squadron in England. Willkie the White House. Defense stamp drive Buffalo. New Navy repair boat in Bro lyn. American flag production in Ph delphia.

Crandall to Handle 'U' Film Exploitati

Milton Crandall has been assigi to handle national exploitation "Paris Calling," Charles K. Feldm Group production being released Universal. Crandall was assigned Louis Pollock, Universal Eastern vertising and publicity manager, handle key city openings and prep material for road men.

Burns Jap Novelties

NEW PHILADELPHIA, O., Dec. 18 William Gillman, local exhibitor, erating two houses, has publi burned a shipment of Japanese no ties received recently for distribut to patrons at New Year's Eve sho The novelties were reordered, but order specifically provided that t must be "made in the U. S. A."

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2 Reels of Amazing Film That Foretold History!



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See where and how it's happening today! See Pearl Harbor, Hawaii, Alaska, Philippines! See Shadows over West Coast of U.S.A. and Canada! See Inside Story and Pictures of Japan! Plus thrilling narrative of the Allied role in the Pacific! Remarkable in its prophecy! Brilliant in its complete coverage! Compiled by the Canadian Government. An M-G-M release.

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AT LAST IT'S ON

BIGGER!
BETTER!
CRAZIER!
FUNNIER!
Than on the Stage!



UNIVERSAL PICTURES presents

HELLZAPOPPIN'

starring **OLSEN** and **JOHNSON**
MARTHA RAYE

HUGH HERBERT • MISCHA AUER • JANE FRAZEE • ROBERT PAIGE • GUS SCHILLING • SHEMP HOWARD • The Six Hits • Slim and Slam • The Congeroos and Spectacular Water Ballet

Screenplay by Nat Perrin and Warren Wilson • Based on an original story by Nat Perrin
Suggested by the stage play "Olsen & Johnson's Hellzapoppin'" • Directed by H. C. Potter

A MAYFAIR PRODUCTION

Associate Producers, Glenn Tryon and Alex Gottlieb

THE SCREEN!

OPPIN'!



A MAYFAIR PICTURE

A UNIVERSAL RELEASE

HERE'S the GREATEST DATE in the HISTORY of YOUR BOXOFFICE!

AVAILABLE NOW!

SET IT NOW!

Bob Hope Is 1941 Winner Of Radio Poll

(*Continued from page* 1)

fore that. Hope first started to figure in the poll in 1939, when he placed seventh among the Champion of Champions and second among comedians. Last year, however, he moved up to second place in both groups and this year he is first in both.

Skelton Leading New Star

Red Skelton, whose name has begun to appear prominently on theatre marquees, was voted the Outstanding New Star of the Season. Dinah Shore replaced Kate Smith who held the crown for three years, as the Best Popular Female Vocalist, but Bing Crosby, in the male section, came first for the fifth consecutive year. In a new classification, Best Master of Ceremonies, Bing also won.

The name of Fanny Brice, sometimes known as Baby Snooks, first appeared in the MOTION PICTURE DAILY polls in 1938 when she was voted Best Comedienne and she has remained on top since, including this year, making it four in a row. Fibber McGee & Molly, who have been in the running every year, were named Best Comedy Team for the third consecutive year.

The Best Variety Show on the air, according to the editors, is "Kraft Music Hall," the Best Quiz Show is "Information, Please," the Best Dramatic Program (different plays) is the "Lux Radio Theatre," and the Best Dramatic Series (same cast and characters) is "One Man's Family."

Robinson Chosen Again

The editors chose Edward G. Robinson again as the Most Effective Film Player on the Air. H. V. Kaltenborn, who ruled the roost as Best News Commentator or Analyst for two years until he was unseated in 1940 by Raymond Gram Swing, was reinstated to the top post this year, with Swing second and Elmer Davis, third.

Bill Stern, the NBC sports director, was voted Best Sports Announcer for the second year, while Harry von Zell, who has always been up there right behind the leaders, finally achieved undisputed first place as Best Studio Announcer.

Among the dance bands, Guy Lombardo's outfit was voted Best Dance Orchestra (Sweet) for the third year in a row and for the fourth time in six years. The Best Dance Orchestra (Swing) is Glenn Miller's again.

Moving over to the classical side of music, Richard Crooks again is found chosen as the Best Classical Male Vocalist, just as he was last year. Gladys Swarthout, after several years in one of the runner-up positions, this year was elected by the editors as Best Classical Female Vocalist.

Leopold Stokowski, who is conducting the NBC Symphony Orchestra this year, was named Best Symphonic Conductor, with Arturo Toscanini, second, and John Barbirolli, third.

The CBS "Spirit of '41" was the program which won the award for the Best Special Events or News Job Performed by Radio in 1941, and it was the CBS "School of the Air of the

(*Continued on page* 11)

The Champions of Radio for 1941



Bing Crosby



H. V. Kaltenborn



Red Skelton



Bill Stern



Harry Von Zell

CHAMPION OF CHAMPIONS
Bob Hope (Pepsodent Co.—Lord & Thomas—NBC-Red)
Jack Benny (General Foods Corp.—Young & Rubicam—NBC-Red)
Bing Crosby (Kraft Cheese Co.—J. Walter Thompson—NBC-Red)

SEASON'S OUTSTANDING NEW STAR
Red Skelton (Brown & Williamson Tobacco Co.—Russel M. Seeds—NBC-Red)
Dinah Shore (Bristol-Myers Co.—Young & Rubicam—NBC-Red; NBC-Blue)
Harold Peary (Kraft Cheese Co.—Needham, Louis & Brorby—NBC-Red)

FILM PLAYERS ON AIR
Edward G. Robinson (Lever Bros. Co.—Ruthrauff & Ryan—CBS)
Bing Crosby (Kraft Cheese Co.—J. Walter Thompson—NBC-Red)
Bette Davis

COMEDIANS
Bob Hope (Pepsodent Co.—Lord & Thomas—NBC-Red)
Jack Benny (General Foods Corp.—Young & Rubicam—NBC-Red)
Fred Allen (Texas Co.—Buchanan & Co.—CBS)

COMEDIENNES
Fanny Brice (General Foods Corp.—Benton & Bowles—NBC-Red)
Gracie Allen (Lever Bros. Co.—Young & Rubicam—NBC-Red)
Marian Jordan (S. C. Johnson & Son, Inc.—Needham, Louis & Brorby—NBC-Red)

COMEDY TEAMS
Fibber McGee & Molly (S. C. Johnson & Son, Inc.—Needham, Louis & Brorby—NBC-Red)
Burns & Allen—Lever Bros. Co.—Young & Rubicam—NBC-Red)
Abbott & Costello (Standard Brands, Inc.—J. Walter Thompson—NBC-Red)

MASTER OF CEREMONIES
Bing Crosby (Kraft Cheese Co.—J. Walter Thompson—NBC-Red)
Bob Hope (Pepsodent Co.—Lord & Thomas—NBC-Red)
Clifton Fadiman (American Tobacco Co.—Lord & Thomas—NBC-Red)

MALE VOCALIST (Popular)
Bing Crosby (Kraft Cheese Co.—J. Walter Thompson—NBC-Red)
Kenny Baker (Texas Co.—Buchanan & Co.—CBS)
Lanny Ross (Campbell Soup Co.—Ruthrauff & Ryan—CBS)

FEMALE VOCALIST (Popular)
Dinah Shore (Bristol-Myers Co.—Young & Rubicam—NBC-Red; NBC-Blue)
Kate Smith (General Foods Corp.—Young & Rubicam—CBS)
Connie Boswell (Kraft Cheese Co.—J. Walter Thompson—NBC-Red)

MALE VOCALIST (Classical)
Richard Crooks (Firestone Tire & Rubber Co.—Sweeney & James—NBC-Red)
James Melton (Bell Telephone System—N. W. Ayer & Son—NBC-Red)
Lawrence Tibbett

FEMALE VOCALIST (Classical)
Gladys Swarthout (Prudential Insurance Co. of America—Benton & Bowles—CBS)
Lily Pons (Coca-Cola Co.—D'Arcy Advertising—CBS)
Margaret Speaks (Firestone Tire & Rubber Co.—Sweeney & James—NBC-Red)

COMMENTATORS
H. V. Kaltenborn (Pure Oil Co.—Leo Burnett—NBC-Red)
Raymond Gram Swing (General Cigar Co.—J. Walter Thompson—Mutual)
Elmer Davis (Colgate-Palmolive-Peet Co.—Ward Wheelock—CBS)

SPORTS ANNOUNCERS
Bill Stern (Colgate-Palmolive-Peet Co.—Sherman & Marquette—NBC-Red; Adam Hat Stores, Inc.—Glicksman Advertising—NBC-Blue)
Ted Husing (CBS)
Red Barber (Gillette Safety Razor Co.—Maxon—Mutual)

STUDIO ANNOUNCERS
Harry von Zell (Bristol-Myers Co.—Young & Rubicam—NBC-Red; General Foods Corp.—Young & Rubicam—NBC-Red)
Don Wilson (General Foods Corp.—Young & Rubicam—NBC-Red)
Milton Cross (American Tobacco Co.—Lord & Thomas—NBC-Red; Texas Co.—Buchanan & Co.—NBC-Blue; Sherwin-Williams Co.—Warwick & Legler—NBC-Red)

DANCE BANDS (Sweet)
Guy Lombardo (Colgate-Palmolive-Peet—Ted Bates—CBS)
Wayne King (Luxor, Ltd.—Lord & Thomas—CBS)
Sammy Kaye

DANCE BANDS (Swing)
Glenn Miller (Liggett & Myers Tobacco Co.—Newell-Emmett—CBS)
Tommy Dorsey
Benny Goodman

SYMPHONIC CONDUCTORS
Leopold Stokowski (NBC-Blue)
Arturo Toscanini (NBC-Blue)
John Barbirolli (CBS)

DRAMATIC PROGRAMS (Different Plays)
Lux Radio Theatre (Lever Bros. Co—J. Walter Thompson—CBS)
Helen Hayes Theatre (Thomas J. Lipton, Inc.—Young & Rubicam—CBS)
Orson Welles (Lady Esther, Ltd.—Pedlar & Ryan—CBS)

DRAMATIC PROGRAMS (Same Cast, Characters)
One Man's Family (Standard Brand—J. Walter Thompson—NBC-Red)
Aldrich Family (General Foods—Young & Rubicam—NBC-Red)
Big Town (Lever Bros. Co.—Ruthrauff & Ryan—CBS)

VARIETY PROGRAMS
Kraft Music Hall (Kraft Cheese Co—J. Walter Thompson—NBC-Red)
Rudy Vallee (Sealtest, Inc.—McKee & Albright—NBC-Red)
Bob Hope (Pepsodent Co.—Lord & Thomas—NBC-Red)

QUIZ SHOWS
Information, Please (American Tobacco Co.—Lord & Thomas—NBC Red)
Take It or Leave It (Eversharp, Inc—Biow—CBS)
Quiz Kids (Miles Laboratories, Inc.—Wade Advertising—NBC-Blue)

CHILDREN'S PROGRAMS
Let's Pretend (Nila Mack—CBS)
Quiz Kids (Miles Laboratories, Inc.—Wade Advertising—NBC-Blue)
*Ireene Wicker (NBC-Blue)
*Lone Ranger (General Mills, Inc.—Blackett - Sample - Hummert — Mutual)

DAYTIME SERIALS
Vic & Sade (Procter & Gamble Co.—Compton Advertising—NBC-Red)
Against the Storm (Procter & Gamble Co.—Compton Advertising—NBC Red)
*Goldbergs (Procter & Gamble Co.—Compton Advertising—CBS)
*Life Can Be Beautiful (Procter & Gamble Co.—Compton Advertising—CBS)

EDUCATIONAL PROGRAMS
CBS School of the Air of the Americas
NBC University of Chicago Round Table
Mutual American Forum of the Air

SPECIAL EVENTS
CBS Spirit of '41
NBC General News } tied
CBS Army Maneuvers } tied
CBS Overseas Broadcasts } tied
NBC This Is England } tied

*Tied.

NOTE: Classifications on Educational Programs and Special events are unsponsored; the networks have been indicated on the original classifications.

IT'S OFF!...

to gala crowds all over the country! Big holiday openings set in these spots for

BOSTON
COLUMBUS
N FRANCISCO
ROVIDENCE
LOWELL
LOS ANGELES
OMAHA
KANSAS CITY
DES MOINES
WASHINGTON
CHICAGO

Ball of Fire

KEEP YOUR EYE ON THE "BALL!"



SAMUEL GOLDWYN PRESENTS

GARY COOPER ★ BARBARA STANWYCK

in

Ball of Fire

Directed by
HOWARD HAWKS

PRODUCED BY SAMUEL GOLDWYN

Screen Play by Charles Brackett and Billy Wilder

Released through RKO Radio Pictures Inc.

Big New Year Business Is Seen on B'way

(*Continued from page* 1)

Judy Garland, supported by a holiday stage revue, will be the attraction at the Radio City Music Hall beginning Dec. 31. Opening on the same day at the Roxy will be the 20th Century-Fox film, "Remember the Day," also supported by a holiday stage show. The Roxy will supply noisemakers to patrons and release balloons at midnight.

It is expected that the Capitol will open M-G-M's "Two-Faced Woman" on Dec. 31, while the Rivoli has Universal's Olsen & Johnson comedy, "Hellzapoppin'," opening on Christmas Day and continuing through the New Year.

'Purchase' at Paramount

The Paramount will have "Louisiana Purchase," Paramount's version of the Broadway stage hit, opening Dec. 31, and Gene Krupa's band on the stage. Warners' "The Man Who Came to Dinner" will open at the Strand on New Year's Day, with three preview performances New Year's Eve. Will Osborne will head the stage show on Dec. 31 and will be replaced by Jimmy Dorsey's band the following day.

At the Astor, "Shanghai Gesture," United Artists' release, will start its run Christmas Day and will be the New Year's attraction. Loew's State will have a special holiday show, also opening Christmas Day, consisting of "Bahama Passage" and Ed Sullivan's "Dawn Patrol" on the stage.

Grosses this past week continued off. War news, urgent radio addresses by President Roosevelt and the usual pre-Christmas slump were regarded as responsible.

At the Radio City Music Hall, "The Men in Her Life," with the stage presentation drew an estimated $60,000, but the opening yesterday of "H. M. Pulham, Esq.," with the annual Christmas stage show was big. "Rise and Shine" with a stage show drew an estimated $22,300 for six days of the second week at the Roxy, and "Confirm or Deny" opened there yesterday.

'Valley,' 'Night' Continue

Also below par was the Strand, where "Blues in the Night" with Count Basie's band heading the stage show grossed an estimated $26,500 for the first week and was held over. In its seventh week at the Rivoli, "How Green Was My Valley" drew an estimated $15,100 and continues, while "The Chocolate Soldier," which ended its seventh week yesterday, drew an estimated $5,000 at the Astor and will end its run Sunday night.

At the Capitol, "The Feminine Touch" grossed an estimated $10,500 and made way yesterday for "Kathleen." "Swamp Water," which ends a five-week run at the Globe tonight, should bring an estimated $3,600 for the final week. "No Hands on the Clock" opens at the Globe tomorrow. "Among the Living" should bring an estimated $4,400 for the week which ends tonight at the Rialto, and will be succeeded tomorrow by "The Wolf Man."

Reviews

"Remember the Day"

(*20th Century-Fox*)

HERE is a warm and human motion picture, produced with consummate skill and performed with such intelligent understanding as to be certain to work its way into the hearts of all who see it. A nostalgic romance of a school teacher and her soldier-husband, it has the quality of greatness in its ability to extract the maximum in sympathetic understanding from those who see it. As such it must be certain of the widest of audience appreciation, with corresponding results at the box-office.

Too much cannot be said for the beauty of the performance of Claudette Colbert as the teacher, perhaps the finest work she has ever done. In no particular is the film weak. Taken from a play by Philo Higley and Philip Dunning, it was woven most expertly for the screen by Tess Slesinger, Frank Davis and Allan Scott. William Perlberg, who produced, and Henry King, the director, have achieved rare success in bringing the story to the screen. Here is ample proof, incidentally, that greatness does not depend upon length.

Miss Colbert's support does not let her down. Most able performances are offered by John Payne, as the soldier; Ann Todd, as a child pupil; Douglas Croft, as another pupil, whose life is guided into a path of future greatness by the understanding of the teacher; John Shepperd as that boy grown to greatness, and all the others.

The story opens with Miss Colbert, elderly and quiet, waiting in a thronged hotel lobby in Washington, trying to see the Presidential nominee, once her pupil. As she waits the story is told. The teacher who is loved by Payne, another teacher, who leaves when scandal would attach to her name, although no possible reason exists, and of the beauty of their love before his leaving; his return, in Canadian uniform, in 1916, and the sorry leave-taking immediately after their marriage.

Then the other half of the story. The small boy, who conceives a deep affection for the teacher, too deep for a boy of his years, and who is made to see that life's disappointments must be met with courage. That is the bare outline of a story poignant with feeling and beauty, however simple . At the conclusion, the nominee suddenly remembers the woman who timidly approaches him, the audience learns that the soldier-husband had never come back, and the teacher, happy in work well done, shares the triumph of the boy she had guided years before.

Running time, 85 minutes. "G."* CHARLES S. AARONSON

"Blue, White and Perfect"

(*20th Century-Fox*)

LLOYD NOLAN as Michael Shayne, the private detective, is on the trail this time of saboteurs. Before tracking them down, he encounters smugglers, escapes death by shooting and drowning and is almost married several times. The story has action enough to satisfy and should do well as a supporting feature.

Nolan returns broke from a previous adventure and finds that his sweetheart (Mary Beth Hughes) is about to marry another man. Through a ruse, he forces the arrest of this man (Ivan Lebedeff), but it actually develops that Lebedeff is wanted as a bigamist. Nolan promises to get a regular job and, although he obtains employment as a riveter, his real duties are to prevent sabotage. Industrial diamonds, needed for defense work, are stolen by a gang led by Steve Geray, and Nolan is off on another hunt.

Ultimately, Nolan, with the aid of George Reeves, an F. B. I. man, rounds up the gang in Honolulu and just as he is about to enter the matrimonial status he is called off to another case in Manila. Curt Bois gives a good performance as the brains behind the gang. Herbert I. Leeds directed with considerable pace. Sol M. Wurtzel was producer.

Running time, 75 minutes. "G."* EDWARD GREIF

"Blonde Comet"

(*Producers Releasing*)

THIS has an excessive amount of auto racing fitted into a thin plot primarily concerned with the romance of two speedsters, one the young lady of the title, Virginia Vale, and the other, Robert Kent, her chief competitor, until he discovers her feminine charm.

The picture, not too well constructed, has little to offer except the racing footage, which should appeal to those who have a particular interest in motor track action. It has, too, the veteran of the speedways, Barney Oldfield, who remains on the sidelines throughout where he has some trouble with the dialogue. For purposes of a comic touch, Vince Barnett also is on hand as the not too bright mechanic.

Running time, 66 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

Boston Gross Shows Gains; 'Pulham' Bes

BOSTON, Dec. 18. — Grosses we generally higher with "H. M. Pulha Esq.," coupled with "Sing For Yo Supper" registering high gross.

Estimated receipts for the w ending Dec. 10:

"A Date With the Falcon" (Univ.)
KEITH BOSTON—(2,697) (30c-40c-4 55c-65c) 7 days, with vaudeville, includi Cab Calloway and his orchestra and a pian revue. Gross: $17,000. (Average, $8,
"Keep 'Em Flying" (Univ.)
"Moon Over Her Shoulder" (20th-Fox)
KEITH MEMORIAL—(2,907) (30c-4 44c-55c) 7 days. Gross: $19,200. (Avera $16,000)
"Sergeant York" (W. B.)
METROPOLITAN—(4,367) (30c-40c-5 75c) 7 days, 2nd week. Gross: $20,000. (A erage, $15,500)
"Swamp Water" (20th-Fox)
"Nine Lives Are Not Enough" (W. B.)
PARAMOUNT—(1,797) (28c-30c-40c-55c days, Gross: $8,900. (Average, $7,500)
"Swamp Water" (20th-Fox)
"Nine Lives Are Not Enough" (W. B.)
FENWAY—(1,320) (28c-30c-40c-44c-55c) days. Gross: $4,700. (Average, $4,500)
"I Wake Up Screaming" (20th-Fox)
'Belle Starr" (Para.)
SCOLLAY—(2,500) (28c-30c-40c-44c-55c) days, 3rd run. Gross: $3,100. (Avera $4,000)
"H. M. Pulham, Esq." (M-G-M)
"Sing for Your Supper" (Col.)
LOEW'S STATE—(3,000) (30c-40c-4 55c) 7 days. Gross: $18,200. (Average, $1 000)
"H. M. Pullham, Esq." (M-G-M)
"Sing for Your Supper" (Col.)
LOEW'S ORPHEUM—(2,900) (30c-4 44c-55c) 7 days. Gross: $23,900. (Avera $17,500)

Grosses Reported Above Last Year'

(*Continued from page* 1)

to the war reaction, although so decline during the three weeks p ceding Christmas is normal and pected.

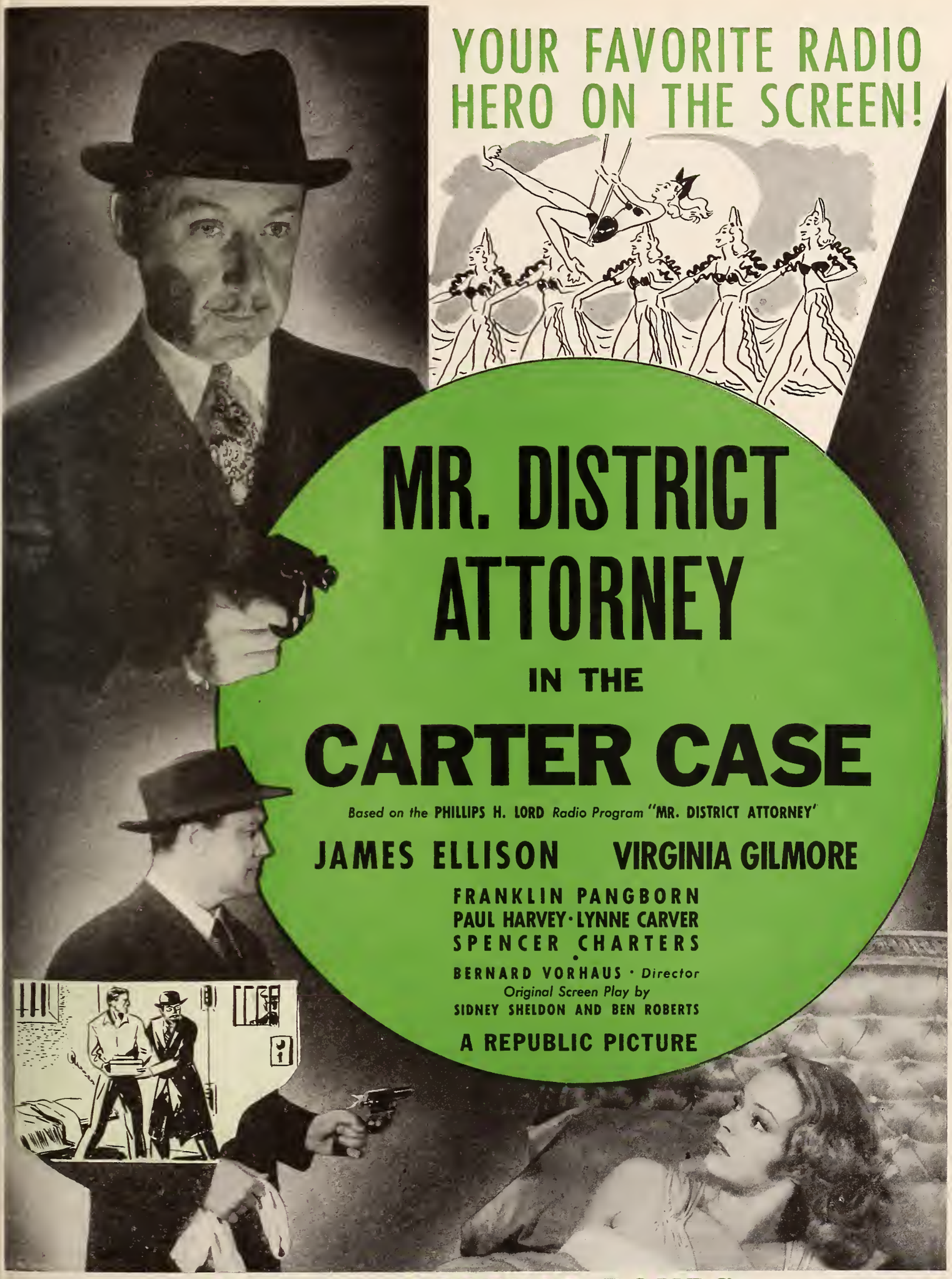
However, circuit officials say t the level of receipts this year h been so much higher than last y that even the greater decline did bring last week's gross below that the comparable week last ye Stronger current film attractions credited with having maintained ceipts at a higher average level week than that of a year ago, due the fact that stage show houses e perienced a more drastic drop week than did straight film hous with outstanding attractions.

'Woman' Captures $10,000, Montre

MONTREAL, Dec. 18.—"Two-Fa Woman" led Montreal grosses wi $10,000 at Loew's. "It Started W Eve" at the Palace netted $9,500.

Estimated receipts for the week en ing Dec. 11:

"Sundown" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 da 3rd week. Gross: $3,200. (Average, $4,0
"Two-Faced Woman" (M-G-M)
LOEW'S—(2,900) (35c-47c-67c) 7 da Gross: $10,000. (Average, $7,000)
"It Started With Eve" (Univ.)
PALACE—(2,200) (30c-45c-62c) 7 da Gross: $9,500. (Average, $7,000)
"Week-End in Havana" (20th-Fox)
"We Go Fast" (20th-Fox)
CAPITOL—(2,800) (30c-45c-62c) 7 da 2nd week. Gross: $6,000. (Average, $4,
"Three Girls About Town" (Col.)
"Ellery Queen and the Perfect Crime" (Col.)
PRINCESS—(2,200) (30c-40c-53c) 7 da Gross: $2,800. (Average, $2,500)



★ BUY U.S. DEFENSE BONDS ★

Too Realistic

San Francisco, Dec. 18.—Completely by accident a war effect was obtained by the downtown Newsreel Theatre during a blackout, when sound effects of a British Government short subject, "The Warning," depicting a real air raid, were relayed to the street through a loudspeaker. A large sidewalk crowd heard the screen narrator describing a real plane attack on London, and the loudspeaker was turned off.

New Haven Circuits Set Operator Deals

NEW HAVEN, Dec. 18.—All projectionists' three-year contracts have finally been concluded with the circuits here providing an increase on a three-year sliding scale. Fishman Theatres contracts also have been negotiated. The contracts expired Labor Day.

Cancel Academy Awards Banquet Because of War

(*Continued from page* 1)

other public gatherings which tend to produce traffic congestion, hampering military forces in an emergency.

A statement issued following the governors' meeting said: "The board, however, unanimously expressed the feeling that outstanding film achievements of the past year should not be unrewarded because of the great public interest in them. A form of presentation more in keeping with the times and existing conditions will be created. That will be decided the first week in January."

Rules which have applied for balloting in past years will be followed with little or no change, with nominating ballots distributed to eligible voters Jan. 25 and final voting ballots mailed Feb. 12. The date, place and manner of award presentation will be announced later.

War Group Theatre Unit Holds Session

(*Continued from page* 1)

derstood that a report and recommendations will be made to the MPPDA board of directors' meeting scheduled for today.

Among those at yesterday's meeting were: Bernhard, Francis Harmon, Ed Kuykendall, Leonard Goldenson, Spyros Skouras, Harry Brandt, R. B. Wilby, E. V. Richards, Si Fabian, C. C. Moskowitz, Sam E. Morris, Nathan Yamins and C. W. Koerner.

Joint Christmas Party

NEW HAVEN, Dec. 18.—Metro and Paramount Pep Clubs here will get together for a Christmas dinner party and dance at the Oakdale Tavern on Tuesday.



Schine Will Seek Later Date Than March for Trial

(*Continued from page* 1)

hearing for a lengthy postponement of the Schine trial due to the Government's action in New York District court Wednesday in moving to bring on the trial of the "Little Three" anti-trust suit here some time this Winter or early Spring.]

Charges U. S. Dilatory

McKay's action was taken on the ground that the Government's answers to defense interrogatories "do not serve the purpose for which they were intended and are of no assistance whatever to the Schine defendants in order to enable them to adequately prepare for trial," despite the fact that the time to answer had been extended for the Government from Oct. 5 to Nov. 25 and that no objections to the interrogatories ever have been made by the Government. The time for making such objections now "has long since expired," McKay stated, "and plaintiff is therefore required to answer them in good faith just as though an order of the court had been made and entered against it."

Questions Unanswered

McKay said that out of a total of 43 interrogatories put to the Government, the plaintiff responded that "it does not have the knowledge required to answer" with respect to 29 of them in their entirety and with respect to 13 subdivisions of those remaining.

Wobber Hits Legal Restriction on Films

(*Continued from page* 1)

ject to legislative regulation. He is expected to finish tomorrow when the trial is scheduled to adjourn until after the holidays.

Questioned by Frederick Lorenzen, New York defense attorney, along lines designed to show the commercial hazards involved in the production of a large number of pictures, Wobber offered statistics showing the variations in bookings received on individual pictures.

His figures revealed that "The Grapes of Wrath" received 12,107 bookings, whereas "The Great Commandment" received only 1,792. "The Bluebird," Shirley Temple's last picture for the company, lost $500,000 on 10,600 bookings despite the fact the company considered it the best Shirley Temple picture it had produced, Wobber said.

Six Argentine Films Showing in Mexico

MEXICO CITY, Dec. 18.—Six Argentine films are featuring the current programs at three of the leading first run theatres here, the Cine Teatro Alameda, the Cine Iris and the Cine Magerit. These are the first of the 34 Argentine films to be exhibited in Mexico during the Winter. The six now being exhibited are from Argentina Sono Film.

CBS Wins for Special Events In Radio Poll

(Continued from page 6)

Americas" which won as Best Educational Program.

"Vic & Sade" again was elected Best Daytime Serial, with "Against the Storm," a strong editors' favorite, in second place, and "The Goldbergs" and "Life Can Be Beautiful" tied for third. The Best Children's Program is Nila Mack's "Let's Pretend."

Benny, second to Hope as Champion of Champions, is also second among comedians, with Fred Allen again in the third position. Miss Shore, who was named outstanding new star last year and best popular female vocalist this year, was second among the new stars this year with Harold Peary (Gildersleeve) now with a program of his own, third. Hope was second among masters of ceremonies with Clifton Fadiman, of "Information, Please," third. In the dramatic series (same cast and characters), "The Aldrich Family" and "Big Town" were second and third, respectively, this year, the reverse of 1940. The "Helen Hayes Theatre" remained second choice among dramatic programs which change plays weekly, while Orson Welles moved up to third.

'Quiz Kids' in Two Divisions

"Take It or Leave It" moved up one notch to second place among quiz shows, and "Quiz Kids" also moved up one place to third. This last show, incidentally, was also voted second among children's programs followed by Ireene Wicker and "Lone Ranger" tied for third.

Rudy Vallee's Sealtest show, aided by the presence of the Barrymores, was named second among variety programs, with Bob Hope's third. Connie Boswell, tied for third last year among popular female vocalists, gained undisputed title to the spot this time behind the Misses Shore and Smith. Kenny Baker and Lanny Ross, respectively, are still second and third among popular male vocalists.

Gracie Allen, always near the top and some years champion among comediennes, is second again, just as she was last year, and Marian Jordan (Molly of Fibber McGee & Molly) has moved up to third from fourth position. Burns & Allen are also second among comedy teams, ahead of Abbott & Costello who are third.

Crosby, way up in many classifications, was chosen second among film players on the air with Bette Davis, tied for fifth last year, third. Don Wilson, out of first position for the first time among studio announcers, is second in that group, followed by Milton Cross, also third last time.

Ted Husing and Red Barber continued in the second and third spots among sports announcers.

Melton, Tibbett Selected

James Melton again was second among classical male vocalists, followed by Lawrence Tibbett who moved up from a fourth-place tie. Lily Pons also retained her hold upon second place among classical female vocalists with Margaret Speaks, first for the previous three years, now in the third position.

Wayne King and Sammy Kaye are second and third, respectively, among dance bands specializing in sweet music, and Tommy Dorsey and Benny Goodman fill the second and third spots among swing bands.

NBC's "University of Chicago Roundtable" is second again among educational shows, and Mutual's "American Forum of the Air" is third. Among the editors' choices for special events and news jobs, the NBC general news coverage was tied with the CBS coverage of Army maneuvers for second place, while CBS' general overseas broadcasts tied with NBC's "This Is England" for third place.

DCB Unit to Advise OPM on Materials

Washington, Dec. 18. — The Defense Communications Board today announced material needs of the communications industry will be handled through an organization set up to act in an advisory capacity to the OPM and SPAB.

Editors Tell What's Right —Or Wrong—About Radio

(Continued from page 1)

falling flat because of poorly conceived gags and stale humor. . . . Radio has done a fine job of presenting spot and feature coverage of the international situation. . . . Corny commercials. . . . Commercial announcers still too emotional."

'Comedy at Low Ebb'

California: "The Government can have no complaint at the co-operation it is receiving from all networks. Comedy material is at a rather low ebb as are the 'soap operas.' . . . Special commendation is due the industry for the fine work in coverage of war, changing conditions and the like, without injection of personal beliefs or propaganda. There still is a tendency for many programs to be pedantic. . . . Many commercials are long-winded."

Pennsylvania: "Some recognition should be especially designed for the stooge-type comedian without whose assistance these comedy programs would not be what they are. . . . The sooner the FCC cracks down on newspaper-owned stations, the safer and better radio will be."

Ohio: "The tremendous programs boosting national defense are rather poorly done, considering the talent that's drafted for them."

Tennessee: "Radio, as lively as ever, is the only amusement that costs no more than a year ago. . . . The industry is making the most of its public service opportunities. . . . With the quiz show era having run its course and interest in war news rising, radio has launched the 1941-42 season with a new high for dull entertainment and lack of innovations. . . . Radio needs new stars and program ideas. . . . Too much commercializing of programs . . . too much studio mugging for inside audiences and syrupy piffle with film queens obviously will kill radio."

Missouri: "No progress for radio in the year, except defense reporting and war news. . . . Too much cancelling of the few fairly good radio concerts to make room for public affairs and special programs."

New Jersey: "Serious and tragic war news should not be interlarded with commercial announcements."

North Carolina: "Further Government regulation should be avoided. . . . No danger in newspaper and radio co-operation and ownership."

Indiana: "Public is going stale on many radio stories. Scripts should portray the happy side of life. . . . Too much kidding of married life."

'Programs too Similar'

Iowa: "There are too many programs alike each season. . . . Too many good programs are on the air at one time."

Wisconsin: "Radio is growing up into maturity. . . . Let it grow."

Florida: "Spot announcements are the scourge of the broadcasting industry."

Massachusetts: "Radio should not be harassed by politically minded individuals or Government bodies. . . . American Radio is the finest in the world."

Connecticut: "Replace some of those daytime serials with good symphonic music. . . . With the war and national defense boom taking many away from their homes at night, it may be well to provide some good music for these night-time workers during the afternoon."

MBS Sponsors May Cancel on War Cause

Mutual yesterday announced that all existing and future contracts would contain a war clause giving sponsors the right to cancel program commitments in the event the war substantially curtails or interferes with their business. Sponsors must give two weeks' notice of cancellation no later than two weeks after their business is interfered with or curtailed.

NBC stated that there has been no demand by sponsors for a war clause, although many talent contracts contain war cancellation options.

Mexico Restricting Radio in Emergency

MEXICO CITY, Dec. 18. — Mexico has clamped down on radio as a war emergency with the cancellation of all amateurs' sending and receiving permits and stricter regulation of broadcasts by the 106 active commercial and other stations in the country. Inspectors of the Ministry of Communications and Public Works have strict orders to censor rigidly the news phases of these stations' programs and to forbid the transmission of any information that is not verified or at least sponsored by the press associations that the Mexican Government approves for Mexico. The stations are forbidden to broadcast news "flashes."

This action has been adopted, the Ministry explained, to prevent undue alarm and avoid panic.



GENEROUS CONTRIBUTORS

BECAUSE of their exceptional ability — each in its own field — to record completely the beauty of every scene, Eastman negative films have contributed their part to the success of modern screen productions. Eastman Kodak Company, Rochester, N. Y.

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Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

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for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 122 NEW YORK, U. S. A., MONDAY, DECEMBER 22, 1941 TEN CENTS

MPTO Weighs Abandoning Its Annual Meet

Consider Step Because of War Conditions

The MPTOA is considering dispensing with its annual national convention, ordinarily held in the spring, because of the war, and substitute several meetings of the board of directors, Ed Kuykendall, MPTOA president, said here prior to his departure for his home in Columbus, Miss., over the weekend. Kuykendall said he favored such a proposal but that directors of the organization would be consulted before final action was taken.

The MPTOA president said he would issue a bulletin to organization members covering proposals for exhibitor cooperation on various activities relating to the war as soon as unified plans have been formulated by industry agencies. Meanwhile, he said, he favors the use of trailers made by nationally prominent figures instead of

(Continued on page 4)

Maintain Films for U.S. Morale: Harmon

Declaring that the film industry has been a beneficiary of freedom in this country, Francis Harmon urged the industry should do its utmost to provide an "uninterrupted supply" of films to maintain national morale, in an address to the Motion Picture Emergency Defense Conference at the Hotel Piccadilly Friday night.

The meeting was called by the Screen Publicists Guild, and was pre-

(Continued on page 4)

Kaltenborn Accepts 'Daily' Poll Award

H. V. Kaltenborn, NBC commentator, yesterday was presented a scroll commemorating his selection as Best News Analyst and Commentator in Motion Picture Daily's sixth annual poll of radio editors on behalf of *Fame*. The presentation, which was made by Lyle Van, took place at the opening of Kaltenborn's news program over NBC-Red. He acknowledged the tribute "from my newspaper colleagues," and added: "The praise of fellow craftsmen is praise indeed. Their friendly approval will stimulate me to do my best in the great task that faces us all."

Law Can't Overcome Films' Intangibles, Agnew Tells Court

ST. PAUL, Dec. 21.—Additional evidence that the reaction of the public to Hollywood's production efforts is largely unpredictable was offered on Friday by Neil F. Agnew, Paramount vice-president in charge of distribution, as trial of the criminal actions for violations of Minnesota's anti-block-of-five law ended its first week in Ramsey County District Court here.



Neil Agnew

The trial, in which Paramount, RKO and 20th Century-Fox are defendants, was adjourned and will be resumed Jan. 7.

(Continued on page 10)

Industry Ready to Serve, Says Hays

The motion picture industry, through its War Activities Committee, is equipped and ready to devote its utmost toward winning the war and pledges a regular supply of entertainment as its responsibility in the present emergency, Will H. Hays, president of the MPPDA, stated Friday following the regular quarterly meeting of the Association's board of directors.

The statement by Hays follows:

"The motion picture industry in all its branches—production, distribution

(Continued on page 4)

Para., Monogram Pay Xmas Bonuses

Paramount and Monogram have authorized employe bonuses. Paramount paid a Christmas bonus to home office employes of a week's salary up to $50 for all paid not more than $75 weekly, a bonus for exchange employes, and a "cost-of-living" bonus of four per cent of salaries for the past six months of home office employes earning up to $100 weekly.

Monogram will pay bonuses in the form of defense bonds and stamps to employes of the home office and the New York, Philadelphia and Washington exchanges.

FCC Reports Defense Chief Work of Year

WASHINGTON, Dec. 21.—The time and funds of the Federal Communications Commission have been largely devoted to defense activities during the past year, it was disclosed today in the Commission's annual report.

No specific recommendations for legislation were contained in the report, it being explained that any new measures found necessary would be asked for as the need arose.

The Commission announced that 915 standard broadcast stations were operating or under construction as of Nov. 1, and estimated the number of standard receivers in use at more than 50,000,000. On the same date there

(Continued on page 13)

NAB Issues War Guide For Broadcasts of News

WASHINGTON, Dec. 21.—The National Association of Broadcasters has issued recommendations "as a guide to wartime broadcasting," after consultation with the military and other Government branches.

It was generally advised that broadcasts of news should be in a manner likely to cause neither undue optimism nor an atmosphere of defeatism.

The NAB urged moderation in news broadcasts, avoiding sensationalism, the exercise of extreme care in broadcasting enemy communiques, and care that those tuning in late do not get the wrong impression from news broadcasts. A list of "do nots" include the following:

Do not broadcast rumors.

Do not broadcast the movement of vessels or troop movements, unless officially released, or facts about location of vessels or launchings.

Do not broadcast figures on draft enrollments, or personal observations on weather conditions, even in connection with sporting events.

Do not broadcast imperative re-

(Continued on page 13)

Blackouts of Marquees in Future Seen

O.P.M. Warns of Need to Conserve Power

WASHINGTON, Dec. 21.—Blackouts of theatre exterior lighting in many sections of the country not in primary danger of air raids may be expected next year and through 1943, it was warned today by the OPM.

Explaining the great extent to which the production of aluminum, magnesium, chemicals and other war materials is dependent upon huge supplies of electric current, the OPM revealed that surveys have shown that many seetions of the country will not have enough power for those needs and for commercial and household use as well, despite the energetic efforts that are being made to construct new plants and extend existing ones.

The blackouts recently imposed in the Southeastern states, it was warned, will be repeated there and in many other areas during the next two years, at least.

"In order to assure vital defense

(Continued on page 4)

Clearance Schedule Is Set for Portland

An arbitration award which sets clearance schedules on Paramount, RKO and Warner product for all runs in Portland, Ore., was entered late last week at the request of the parties involved.

Meanwhile, New York's 30th complaint was filed here on "some run," the first case at the local board to be filed on any complaint other than clearance, and the complaint of the Colonial Theatre, Phoenixville, Pa.,

(Continued on page 10)

Power to FDR Over All Communications

WASHINGTON, Dec. 21.—Moving to complete the granting of powers to the President necessary for the conduct of the war, the House on Friday granted him the same authority over wire communications as he exerts over radio under the provisions of the Communications Act.

The legislation, plus the provisions

(Continued on page 13)

Report Comptroller To Be Named by RKO

It is reported that with the RKO treasurer's functions having been settled and consolidated under Leon Goldberg, a comptroller to function under Goldberg's supervision will be announced by George J. Schaefer, president of RKO. following a board meeting tomorrow, in a further realignment of the company's departmental operations.

Sees Trade Duty to Challenge Censors

It is the duty of the industry to challenge in the courts the right of public officials to overstep their proper function in such instances as the banning in Providence and Boston of "Two-Faced Woman," it is stated by Quincy Howe, president of the National Board of Review of Motion Pictures, in an open letter to the industry.

The "open letter" is devoted to a discussion of the Greta Garbo film and the Legion of Decency, which originally condemned the picture, then reclassified it as "objectionable in part" after revisions by M-G-M.

Howe, drawing "general conclusions" from the incident, sustains the right of the Legion to ask its members to boycott the film, but questions that the public authorities or any part of the industry has any obligation to follow the advice of any such group as the Legion. It is Howe's contention that a public official has recourse to the courts if he believes a film violates the "laws of obscenity," but any other "interference on the part of the public authorities constitutes censorship," he says.

So. California ITO Calls Defense Rally

Los Angeles, Dec. 21.—The board of directors of the ITO of Southern California has put in motion a program to organize all independent theatres in this area in cooperation with Los Angeles civilian defense officials for air raids and other eventualities. A mass meeting of independents has been called for Dec. 29 to plan for action.

The board also instituted a survey of the effects of the war on independent theatres and proposed methods to alleviate the situation. Reports of Robert H. Poole and Jack Y. Berman, delegates to the recent industry unity meeting in Chicago, were heard and approved.

BROADWAY PLAYS

"A GREAT SHOW."—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats. Xmas, Fri. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

WILLIAM F. RODGERS, Loew's vice-president and general sales manager, left for Florida over the weekend.

•

JOSEPH H. SEIDELMAN, Universal vice-president and foreign manager, has returned from South America.

•

RUBE JACKTER, Columbia assistant sales manager, has returned from Charlotte.

•

EMANUEL REUBEN of Loew's has enlisted in the Army.

JOSEPH H. MOSKOWITZ of 20th Century-Fox is expected here today from the Coast.

•

ARNOLD PRESSBURGER and JOSEF VON STERNBERG are due from the Coast tomorrow.

•

SAM WOOD is expected today from the Coast.

•

HAROLD DUNN, Warners Far Eastern supervisor, is in Shanghai, he has advised the home office. He had not been heard from since the war started.

Crescent Decision Seen by Year End

The possibility of a decision before the end of the year in the Government anti-trust suit against the Crescent Circuit, Columbia, United Artists and Universal in Federal court at Nashville was enhanced with the decision of distributor defendants not to file answers to the Government's final briefs in the case.

Distributors' counsel took the view that the final Government briefs raised no new points or issues not already answered or covered by trial testimony and were content to let the case rest. The court, therefore, was permitted to give its final consideration to the case without further delay.

The attorneys' hope for a decision before Jan. 1 also was strengthened by the fact that Judge Elmer Davies has advised them he plans to take a holiday soon and would endeavor to make his decision before leaving Nashville.

'Purchase' to Open in Non-Restricted Spots

Paramount is precluded from selling "Louisiana Purchase" in at least five important territories during the holidays because roadshow engagements of the stage play are current in those locations, Paramount announced Friday. The company, however, has obtained 226 holiday bookings for the picture in non-restricted territories, according to Neil F. Agnew, distribution head.

Day and date Christmas openings have been set for the picture in 87 key cities and New Year's engagements in 139, Agnew said.

Callaway, WB Branch Head in L.A., Resigns

W. E. Callaway, branch manager for Warner Bros. in Los Angeles, has resigned from the company, it was announced on Friday by the home office.

MITCHELL MAY, Jr. CO., INC.
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Specializing in requirements of the Motion Picture Industry
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Expect Harley, Kane From Europe Today

Francis L. Harley, 20th Century-Fox managing director for Britain, is expected to arrive in New York from Lisbon by way of Brazil today, after having been stranded in Portugal for almost three weeks awaiting transportation.

Although the 20th Century-Fox home office was not definitely advised, it was believed that Robert T. Kane, head of the company's British production activities, is with Harley.

The two originally intended to fly to New York by Atlantic Clipper but the difficulty of obtaining civilian accommodations forced them to book ship passage instead. The declarations of war by Germany and Italy then resulted in the cancellation of that sailing from Lisbon. Meanwhile, Portugal discontinued visas for civilians between London and Lisbon and the two were unable to return to London. It is believed they finally succeeded in obtaining accommodations on either the Italian or German airlines from Lisbon to Brazil and are completing their journey by plane.

Scully West Soon On Product Talks

William A. Scully, Universal vice-president and general sales manager, will go to the Coast shortly after the first of the year to attend the company's product conferences at the studio, at which the 1942-'43 schedule and budget will be taken up, the company announced.

Scully left here for Florida over the weekend on a combined business and pleasure trip. While in the South he will meet with officials of the Sparks Circuit at Jacksonville and the Wometco Circuit at Miami. From there he will go to the Coast.

Rialto Makes Change With Defense Stamps

The Rialto Theatre on Broadway last week adopted a plan of giving defense stamps for change, and reports a good response from patrons to the idea. The plan is being promoted by trailers and lobby displays.

Gross Prepares Book

Gerald G. Gross, Motion Picture Daily correspondent in Washington and of the staff of the *Washington Post*, is the author of the text, in verse, of "Zoo's Who," a souvenir book for visitors to the National Zoological Park.

10,000 Houses Goal Of Industry's Drive In March of Dime

A goal of 10,000 theatres to co operate in the industry's March Dimes drive to aid infantile paralys sufferers as part of President Roose velt's birthday celebration has bee set by Nicholas M. Schenck, chai man of the industry drive committe it was announced Friday.

2,500 Houses Pledged

Although the drive is only startin more than 2,500 theatres already ha agreed to participate.

"The motion picture industry Schenck said in a message addresse to every American exhibitor, "ha been called upon to help many worth charity causes, but, in my opinio none touches the heart more deep than does the annual campaign raise funds for the fight against i fantile paralysis. This charity, spo sored by President Roosevelt, is doir a noble, necessary work, more in portant now than ever.

"While in past years motion pictu theatres have aided this campaign, v never before have attempted a tho ough, nationally-organized drive. Th year we hope to have at least 10,(theatres sign the pledge to give acti cooperation.

Collections in Lobbies

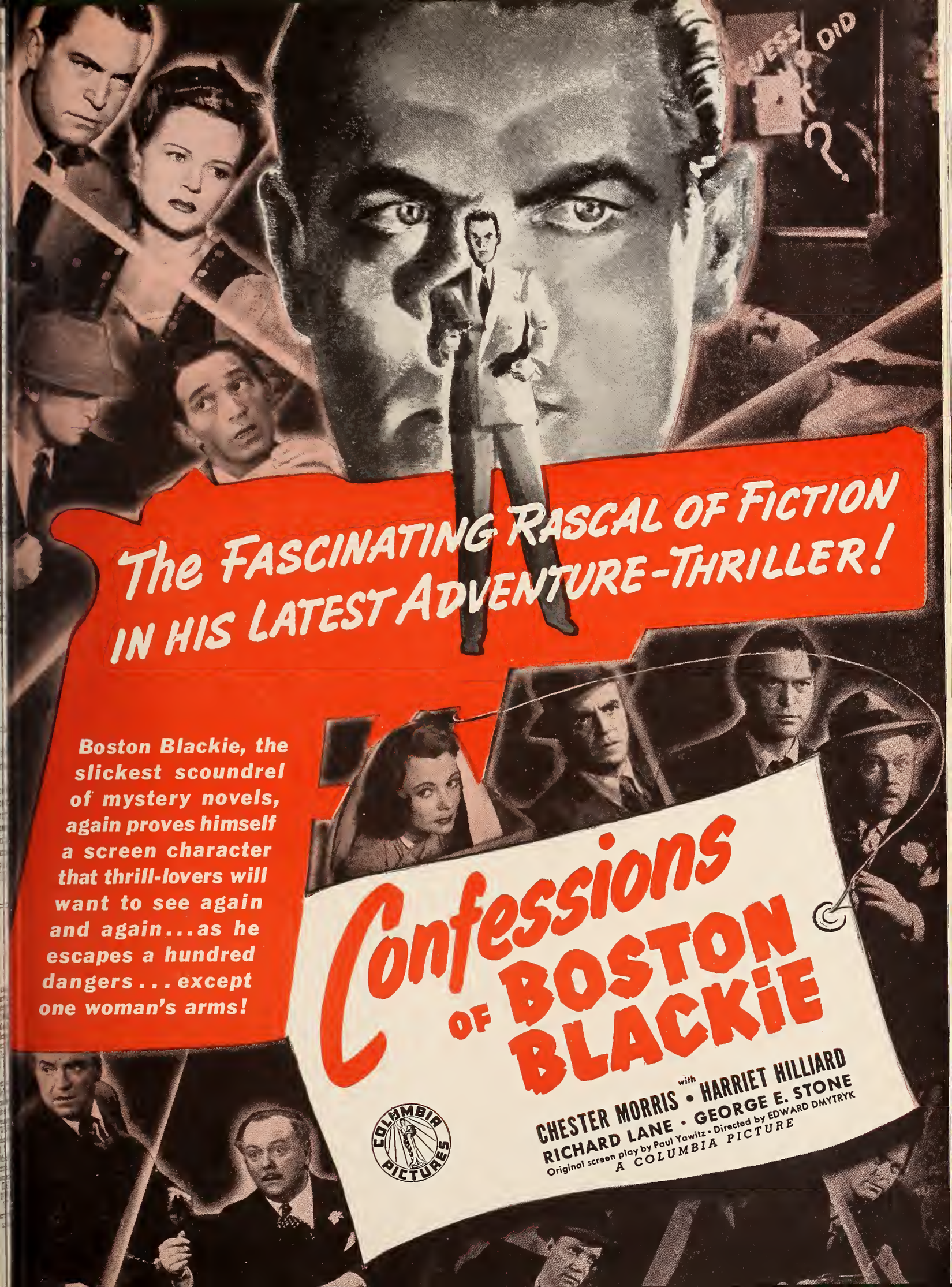
"Really, not too much is asked of u We are merely asked to take colle tions in our theatre lobbies during t week of Jan. 22-28. If we do th with the proper organization a enough enthusiasm we can make worthwhile industry contribution the good cause."

Barron Names Group For Capital Campaign

WASHINGTON, Dec. 21.—The lo committee for the industry's March Dimes drive has been announced Carter Barron, chairman of the co mittee.

Members of the committee ar John J. Payette, Sidney Lust, Fr Kogod, A. E. Lichtman, Louis Ber heimer, Frank Storty, Lloyd J. Win land, Hardie Meakin, Roland Robbin Edmund Plehn, Charles Olive, Fra LaFalce, Dan Terrell, William Hoy Henry Hiser, Sam Galanty and Wi iam Vincent Dougherty.

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IN HIS LATEST ADVENTURE-THRILLER!
Boston Blackie, the slickest scoundrel of mystery novels, again proves himself a screen character that thrill-lovers will want to see again and again...as he escapes a hundred dangers... except one woman's arms!
Confessions of BOSTON BLACKIE
with
CHESTER MORRIS • HARRIET HILLIARD
RICHARD LANE • GEORGE E. STONE
Original screen play by Paul Yawitz • Directed by EDWARD DMYTRYK
A COLUMBIA PICTURE
COLUMBIA PICTURES

Blackouts of Marquees in Future Seen

(*Continued from page* 1)

industries all the power they need, power for civilian uses will be curtailed," it was declared. "This will include blackouts of non-essential lighting, such as signs and show windows."

Surveys by the OPM have indicated that blackouts probably will be repeated in the Southeast, that shortages of power are possible next year in Texas, Arkansas and Louisiana; a shortage may occur in Buffalo and also in St. Louis, and that the Pacific Northwest also is threatened with an insufficiency of power. Still other areas may have to be rationed, as power is drawn from them to sections where shortages are sufficiently serious to threaten defense production, it was said.

Maintain Films for U.S. Morale: Harmon

(*Continued from page* 1)

sided over by Joseph Gould, SPG president. A steering committee of five was appointed to coordinate the work of the conference with the War Activities Committee—Motion Picture, the national industry committee, and to consider local problems. The committee includes: Paul Lazarus, Jr., Maurice D. Kann, Jonas Rosenfield, Jr., David Golden and Sal Scoppa. The steering committee will meet shortly.

Harmon, who is executive officer of the War Activities Committee, stressed the need of the industry implementing the good neighbor policy in Latin America, and gave it as his opinion that the use of films in Army training will result in a vastly increased use of films in schools after the war.

Kanin Urges Long Films

Other speakers were Eugene Plishet, sector warden for Times Square, who spoke on theatre and building control; Garson Kanin, who holds a Government defense post, and who urged longer defense films in theatres than the short trailers and shorts, and Capt. John W. Green, aide to the commander of the New York State Guard.

Represented at the meeting were the following organizations: Ampa, Screen Publicists Guild and auxiliary, Local 306, of the operators' union, Local 109, of the Screen Office and Professional Employes Guild, National Film Board of Canada, Association of Documentary Film Producers, Local 702, of the Laboratory Technicians, Film Exchange Employes union, Local B 51, Local 52 of the Motion Picture Studio Mechanics, NYU Film Library, Municipal Civil Service Commission, the MPTOA, represented by Mark Finkelstein and A. E. Shanley, and the trade press.

Resuming Stage Shows

CINCINNATI, Dec. 21.—The RKO Shubert, which recently discontinued stage shows in favor of straight films, will resume its combination policy Dec. 26, with Martha Raye as the headline attraction.

Television Camera Needs No Artificial Light, Report

A television camera so sensitive that it can operate without artificial lighting was reported over the weekend to have been developed by RCA engineers. The camera was described as being more sensitive than the human eye, thus permitting pickups under almost any conditions anywhere.

Details of the new invention were withheld and a spokesman for RCA declared that there could be no comment at this time.

Gives High Definition

The new camera was said to be capable of giving excellent definition, despite the fact that little light is needed. It was described as being capable of picking up an image in a room without extra lighting, during day or night. The only lighting required, it was said, would be to obtain extra highlights and spot lights and to eliminate shadows.

According to the report, the camera is ready for use although tests are continuing to eliminate small technical deficiencies which usually are found in the first use of such inventions.

The question of lighting has been one of the principal problems of television. Many actors refuse to appear before the standard television camera, the iconoscope, because of the extreme heat radiated by the lamps. The orthicon camera can pick up a fairly good image using only a bank of neon lamps, which are cooler, but many television engineers use the iconoscope for studio pickups because the latter gives much sharper definition.

The orthicon has proved the best for sports pickups because, although it has less definition, the fact that it works with less light has made it more desirable. Further, it was stated, the constant motion in sports activities makes extreme definition unnecessary. Nevertheless, even the orthicon has not proved satisfactory under all sports conditions. For example, the final period of football contests have frequently been played under daylight which is too weak for the orthicon to pick up.

Scout British Reports

Meanwhile, reports from England that John L. Baird, pioneer television inventor, had last week successfully demonstrated three-dimensional color television over the air were discounted here over the weekend. It was pointed out that the same results had been achieved here some years ago on an experimental basis and that Baird made no claim to anything but an experimental transmission. The Baird demonstration included transmission of a picture of a hand holding some flowers, and smoke rising from a cigarette and a pipe.

British Projectionist Exemption Expected

LONDON, Dec. 21. — Exhibitors are confident now that all chief projectionists at theatres throughout England will be exempt from military duty, following meetings late last week between representatives of the Cinematograph Exhibitors Association and officials of the Ministry of Labor.

Those above the age of 35 already are assured of exemption under a new plan of the Government, and it is now expected that those under 35 years, although not technically exempt, are likely to have their military service deferred.

The development greatly eases the manpower situation in film theatres, although the Government's plans for the use of women in industry and the new feminine conscription plan will deplete the reserves available for training as substitute film labor.

Art Directors Form War Camouflage Unit

HOLLYWOOD, Dec. 21.—Studio art directors have completed the organization of a Motion Picture Camouflage Unit, in cooperation with the United States Army, following a meeting at which Lionel Banks, Columbia art department head, was named chairman.

Art departments of all studios were represented, and pledged full cooperation in perfecting defense work in the Pacific Coast defense area. The Army was represented at the conference by Capt. T. George Hazenbush, of the 604th Engineers. Jon Peacock, a member of Banks' staff, was appointed liaison agent to coordinate the work of the studio artists.

Agfa-Ansco Indicted For Trade Restraint

The General Aniline and Film Corp., I. G. Farbenindustrie, Herman Schmidt, Dietrich A. Schmidt, officers of Farben, and Ernst Schwarz, vice-president in charge of the Agfa-Ansco Division of General Aniline, were named defendants Friday in an indictment by a Federal Grand Jury here. They were charged with a conspiracy in restraint of trade in photographic materials and developers.

The indictment claimed that through an agreement of March 19, 1928, which allegedly divided the domestic and foreign markets, Farben and Agfa-Ansco suppressed free competition in the sale of photographic materials and developers. The indictment said that Agfa-Ansco now manufactures 15 per cent of the materials used in the United States.

O'Connell Reelected By New Haven Union

NEW HAVEN, Dec. 21.—Local 74 of the stage employes union for the New Haven district has reelected John O'Connell president for the fourth consecutive term. Other officers elected are: Charles C. McBride, vice-president; Harry Feldman, financial secretary and treasurer; John J. Miller, business representative, and Robert C. Watson, secretary.

Trustees include the officers and William O'Connell, Morris Wasserman, Joseph Dietle and Wallace Miller, sergeant-at-arms.

Head Mexican Union

MEXICO CITY, Dec. 21.—Salvador Carrillo has been reelected president and Enrique H. Mayorga secretary general of the National Cinematographic Workers Union.

MPTO Weighs Abandoning Its Annual Meet

(*Continued from page* 1)

so-called "four-minute men" draw from individual localities for the dis semination of wartime addresses t theatre audiences.

Kuykendall said the MPTOA's ap proval of the program and personne of the Motion Picture Industry Con ference Committee may be taken fo granted, since the poll of the organ ization's directors now is more tha half completed and no dissentin opinions have been expressed.

He views the next task of the com mittee as one of organization, and be lieves that the next meeting, to b held early in January will concern it self with the election of a permaner chairman, the selection of a full-tim executive secretary, means of financ ing the committee's activities and de fining the subjects which may prop erly be handled by the committe under its all-important Point That paragraph of the industry unit programs covers the internal affair which may be adjusted or modified o complaint of any branch of the in dustry or members thereof.

Industry Ready to Serve, Says Hays

(*Continued from page* 1)

and exhibition — is enlisted for th duration.

"Its slogan is: Win the war now everything else is chores!

"Through its War Activities Con mittee, the entire industry is equippe and ready to give the greatest possib service.

"The screen, nurtured in freedon recognizes its obligations to freedon Its duty is to serve. In addition t direct assistance to our national Gov ernment, this means a regular flow o quality entertainment films to hel maintain civilian and military moral

"Our industry pledges this supply o entertainment as a responsibility t America."

Directors at Meeting

Attending the meeting were: Ba ney Balaban, Paramount Picture Inc.; Nicholas M. Schenck, Loew Inc.; E. W. Hammons, Educationa Films Corp.; E. B. Hatrick, Cosmo politan Corporation; Will H. Hay MPPDA; Austin Keough, Para mount Pictures, Inc.; John J. O'Con nor, Universal Pictures Co.; Charle Prutzman, Universal Pictures Co George J. Schaefer, RKO Radio Pic tures, Inc.; David Bernstein, Loew Inc.; A. Schneider, Columbia Pic tures Corp.; W. C. Michel, 20th Cen tury-Fox Film Corp., and Joseph H Hazen, Warner Bros. Pictures, In

Holiday Films Set At Strand and Stat

Two additional Christmas Day fil bookings at Broadway houses were an nounced over the weekend. "You're the Army Now," Warner picture sta ring Jimmy Durante and Phil Silve will open at the Strand. "Playmates RKO film starring Kay Kyser, wi open at Loew's State.

Blackout Is Too Much for Seattle Gross

SEATTLE, Dec. 21.—Five nights of blackouts during the first war week cut grosses to the lowest point in years. Theatres closed at 10:30 for three nights, and had curtailed schedules thereafter. As a result, none of the first runs hit average figures. The weather was clear and cold.

Estimated receipts for the week ending Dec. 13:

"Skylark" (Para.)
"Buy Me That Town" (Para.)
BLUE MOUSE—(950) (30c-40c-58c-70c) 7 days, 2nd week. Moved from Paramount. Gross: $2,400. (Average, $4,000)
"The Chocolate Soldier" (M-G-M)
"Married Bachelor" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-58c-70c) 7 days. Gross: $5,100. (Average, $7,000)
"Sundown" (U. A.)
"Niagara Falls" (U. A.)
LIBERTY—(1,800) (30c-40c-58c-70c) 7 days, 3rd week. Gross: $3,900. (Average, $5,000)
"The Shadow of the Thin Man" (M-G-M)
"The Parson of Panamint" (Para.)
MUSIC BOX—(950) (30c-40c-58c-70c) 7 days, 3rd week. Moved from Fifth Avenue. Gross: $2,300. (Average, $4,000)
"The Maltese Falcon" (W. B.)
"Target for Tonight" (W. B.)
ORPHEUM—(2,450) (30c-40c-58c) 7 days. Gross: $4,600. (Average, $6,000)
"South of Tahiti" (Univ.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville headed by Sammy Cohen. Gross: $3,900. (Average, $5,000)
"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
PARAMOUNT — (3,050) (30c-40c-58c) 7 days. Gross: $4,800. (Average, $6,000)

'Crime,' Shaw Band Best in Providence

PROVIDENCE, Dec. 21.—"Citadel of Crime" and Artie Shaw's orchestra on the stage of the Metropolitan broke house records with $11,300. Toward the end of the week, business began to feel the influence of the war and dropped off sharply. "H. M. Pulham, Esq." and "Sing for Your Supper" at Loew's State, got $13,000.

Estimated receipt for the week ending Dec. 10-11:

"International Squadron" (W.B.)
"Sing Another Chorus" (Univ.)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $6,500. (Average, $6,000)
"H. M. Pulham, Esq." (M-G-M)
"Sing for Your Supper" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $13,000. (Average, $11,000)
"I Wake Up Screaming" (20th-Fox)
"Great Guns" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,100. (Average, $7,000)
"Henry Aldrich for President" (Para.)
"New Wine" (U.A.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"Badlands of Dakota" (Univ.)
FAY'S—(1,800) (20c-33c-44c) 7 days. Stage show. Gross: $5,100. (Average, $5,000)
"Citadel of Crime" (Rep.)
METROPOLITAN—(3,045) (30c-39c-55c-75c) 4 days. Stage show, Artie Shaw and Orchestra, Paula Kelly, Bob DuPont. Gross: $11,300. (Average, $6,000)
"The Dream of Butterfly" (Esperia)
"Il Bacia Della Siren" (Esperia)
PLAYHOUSE — (1,378) (28c-44c-55c) 3 days. Gross: $1,400. (Average, $800)
"Kukan" (Adventure)
AVON—(519) (20c-33c) 4 days. Gross: $500. (Average, $500)
"Keep 'Em Flying" (Univ.)
"Moonlight in Hawaii" (Univ.)
CARLTON—(1,526) (28c-39c-50c) 7 days. 3rd week. Gross: $4,800. (Average, $3,500)
"Lydia" (U.A.) (3 days)
"Man at Large" (20th-Fox) 3 days
"The Feminine Touch" (M-G-M) 4 days
"Ice-Capades" (Rep.) 4 days
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,800)

Reviews

"The Corsican Brothers"

(Small-United Artists)

THIS is a swashbuckling adventure story in the Edward Small manner, a colorful exercise of the imagination in the tone and spirit of the same producer's "Count of Monte Cristo," "Son of Monte Cristo" and "The Man in the Iron Mask." Direct index of its box-office value in any given situation is to be had by referring back to the records of those pictures and adding to this the additional attraction in the name of Douglas Fairbanks, Jr., as star of this offering.

Associated with Fairbanks, who portrays the two leading characters, are Akim Tamiroff, as their family enemy and the most forceful figure in the story: H. B. Warner, J. Carrol Naish, Ruth Warrick, John Emery, Henry Wilcoxon, Gloria Holden and many other capable performers. The script by George Bruce and Howard Estabrook, from a Dumas novel, distributes the effort interest generously among the several players.

The story, directed with a flourish by Gregory Ratoff, is of Corsican twins, separated by birth when bandits murder their family and seize its estates, who are reunited on coming of age and set out to exact vengeance. It happens in the period when swordsmanship, personal resourcefulness and daring were the great levellers of combatants and there is a wealth of action, excitement and suspense in the presentation of the tale.

Running time, 110 minutes. "G."* ROSCOE WILLIAMS

"Mr. District Attorney and the Carter Case"

(Republic)

THIS is another version of the theme of feminine reporter and detective—or assistant district attorney, as here—working on the same case. The film, in a light vein, is entertaining. Leonard Fields was associate producer, and Bernard Barhous directed.

Although three murders are committed before the final curtain, the preponderance of comedy lessens the effect of the mystery element. James Ellison and Virginia Gilmore have the leads while in support are Franklin Pangborn, Paul Harvey (the district attorney), Lynne Carver, Douglas Fowley and others.

First to be murdered is Page, magazine publisher. Ellison and Miss Gilmore start on the case, he suspecting and convicting John Eldredge, whose wife and the victim were friendly. Miss Gilmore believes Eldredge innocent and does her own investigating after losing her job through an erroneous story. Thereafter a series of active sequences lead to the discovery that Pangborn, general manager of the magazine, is really guilty. The last scene in which Pangborn tries to escape with Miss Gilmore and another suspect, Fowley, is comedy of the slapstick variety.

Running time, 68 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

'Flying' at $14,000; Washington Slumps

WASHINGTON, Dec. 21.—A generally slow week saw the lead taken by "Keep 'Em Flying," which drew $14,000 at RKO Keith's. The slump was attributed to the outbreak of the war.

Estimated receipts for the week ending Dec. 10-11:

"Keep 'Em Flying" (Univ.)
RKO-KEITH'S—(1,834) (40c-55c) 7 days. Gross: $14,000. (Average, $10,000)
"Confirm or Deny" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Don Rice, Allen & Kent, Shyrettos, Harland Dixon, Rhythm Rockets. Gross: $12,500. (Average, $15,500)
"Appointment for Love" (Univ.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Dave Apollon, Ben Yost, New Yorkers, Six Anteleks, Danny Dravson, Roxyettes. Gross: $13,700. (Average, $15,000)
"Two-Faced Woman" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $18,000. (Average, $15,000)
"They Died With Their Boots On" (W. B.)
WARNERS' METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $6,400. (Average, $4,000)
"The Chocolate Soldier" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $3,500. (Average, $3,500)

'Falcon' and Show $23,500, Cleveland

CLEVELAND, Dec. 21.—"The Maltese Falcon" with Jan Savitt's orchestra on the stage gave RKO Palace a big $23,500.

Estimated receipts for the week ending Dec. 11-12:

"Keep 'Em Flying" (Univ.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)
"It Started With Eve" (Univ.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $10,000. (Average, $11,000)
"Suspicion" (RKO)
WARNERS' LAKE—(900) (33c-39c-47c) 7 days, 3rd week. Gross: $1,900. (Average, $1,500)
"The Maltese Falcon" (W. B.)
RKO PALACE—(3,100) (40c-50c-55c) 7 days. Jan Savitt's Orchestra and stage revue. Gross: $23,500. (Average, $15,000)
"Sundown" (U. A.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10,500. (Average, $11,000)
"Two-Faced Woman" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days. 2nd week. Gross: $8,500. (Average, $4,000)

Club Xmas Party Held

CINCINNATI, Dec. 21.—The Warner Club held its annual Christmas party at the Hotel Alms Saturday night, with Harry A. Seed, district manager, attending. Ralph Dunbar presided.

Blackouts Hit Frisco Gross At All Houses

SAN FRANCISCO, Dec. 21.—Business fell off badly due to the surprise blackouts. Best of the week was "Gay Falcon" at the Golden Gate with $12,500, aided by Buddy Rogers on stage.

Estimated receipts for the week ending Dec. 8-12:

"Skylark" (Para.)
"Sailors on Leave" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $11,000. (Average, $11,500)
"The Gay Falcon" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days. Stage: Vaudeville. Gross: $12,500. (Average, $15,000)
"Rise and Shine" (20th-Fox)
"We Go Fast" (20th-Fox)
WARFIELD — (2,680) (15c-35c-40c-50c) 7 days. Gross: $9,000. (Average, $12,000)
"Sundown" (U. A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days, 3rd week. Gross: $5,800. (Average, $7,500)
"Keep 'Em Flying" (Univ.)
"Sing Another Chorus" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $6,000. (Average, $8,000)
"Two-Faced Woman" (M-G-M)
"Cadet Girl" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $12,200. (Average, $16,000)
"Shadow of the Thin Man" (M-G-M)
"Two Sons o' Guns" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $3,500. (Average, $4,500)
"One Day in Soviet Russia" (Artkino)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $700. (Average, $1,000)

'Partners,' Show Lead Pittsburgh

PITTSBURGH, Dec. 21.—War effects almost killed night business at theatres, but the Stanley, with "Unholy Partners" and a stage show of the Three Stooges, Johnny Long, Phil Regan and the Berry Brothers drew $23,000.

Estimated receipts for the week ending Dec. 11:

"Keep 'Em Flying" (Univ.)
FULTON—(1,700) (30c-50c) 7 days, 2nd week. Gross: $5,700. (Average, $5,000)
"Birth of the Blues" (Para.)
LOEW'S PENN—(3,400) (30c-40c-55c) 7 days. Gross: $13,000. (Average, $13,000)
"Shadow of the Thin Man" (M-G-M)
RITZ—(800) (30c-40c-55c) 7 days, 3rd week. Gross: $2,200. (Average, $3,000)
"You'll Never Get Rich" (Col.)
SENATOR—(1,800) (30c-40c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $6,000)
"Unholy Partners" (M-G-M)
STANLEY—(3,600) (30c-44c-66c). On stage: Three Stooges, Johnny Long's Orchestra, Phil Regan, Berry Brothers, 7 days. Gross: $23,000. (Average, $18,000)
"They Died With Their Boots On" (W. B.)
WARNER—(2,000) (30c-40c-55c) 7 days, 2nd week. Gross: $6,700. (Average, $6,000)

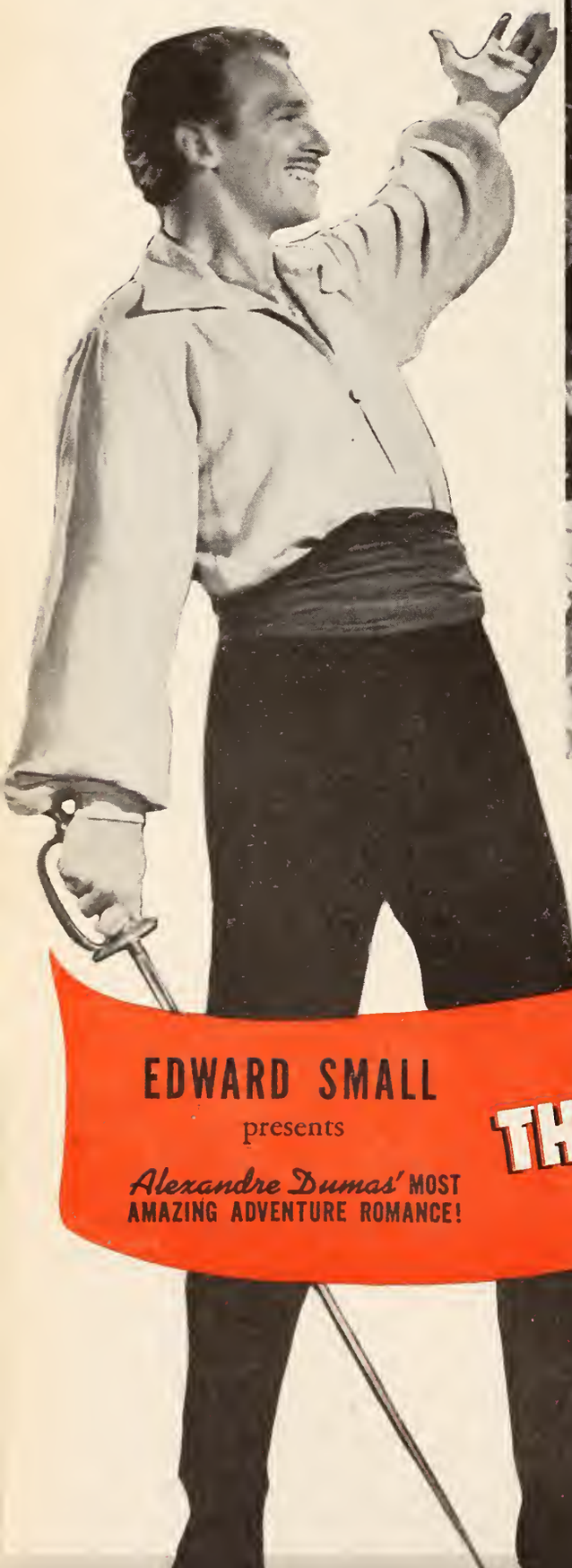
RKO Shows Fourth Block Next Month

RKO has scheduled trade screenings on the fourth group of five pictures in all exchanges, A. W. Smith, Jr., sales manager, has announced. The five are: "Joan of Paris," "Call Out the Marines," "Mexican Spitfire at Sea," "Valley of the Sun, "Sing Your Worries Away."

"Call Out the Marines" and "Mexican Spitfire at Sea" will be shown in most exchanges Jan. 5, and in some Jan. 7. "Joan of Paris" and "Sing Your Worries Away" are set for Jan. 6 and Jan. 8, and "Valley of the Sun" will be shown Jan. 7 and Jan. 9.

WHEN *ONE* THEATRE SELLS MORE TICKET

...and Tha





EDWARD SMALL
presents
Alexandre Dumas' MOST
AMAZING ADVENTURE ROMANCE!

THE CORSICAN

"One of the best of the cinema's romantic melodramas. All t
action, romance, thrills and suspense that have made Dumas t
infallible source of engrossing screen entertainment. Fairbanks,
turns in an exceptionally deft performance in the dual role."
—*Washington P*

"A wonderful show for the holidays! A highwater mark in t
happy combination of Dumas and Fairbanks. Mr. Fairbanks
at his best."
—*Washington Times-Her*

One of the big, important pictu

AN *FIVE* THEATRES, THAT'S NEWS!

e Story of Washington's World Premiere!

Yes, at 8:45 Thursday night, Loew's Palace which seats 2,400 had 3,703 people in the house...1,300 standing! The box-office was forced to close for almost an hour —and at one o'clock opening day Loew's Palace had more people in the theatre than the combined audiences of *five* opposition theatres! The greatest record-breaking pre-Christmas opening in the history of Washington. Held over for a second week, of course!



Tony Martin and Lt. Commander Herman Spitzel, U.S.N., participate in the gala "Mountain af Baoks" stunt at Loew's Palace where 5,000 valumes were callected at the premiere for the Wamen's Newspaper Club to distribute ta service men!



General Peytan March, former Chief-of-Staff, and Mrs. March were amang the Washington celebrities ta cantribute ta the "Mauntain of Baoks" callectian at the first perfarmance!

BROTHERS

Starring

Douglas Fairbanks, Jr.

with

RUTH WARRICK • AKIM TAMIROFF
J. CARROL NAISH • H. B. WARNER • HENRY WILCOXON
JOHN EMERY • GLORIA HOLDEN • VEDA ANN BORG

Directed by GREGORY RATOFF • Screenplay by George Bruce
From a free adaptation of the Dumas story by George Bruce and Howard Estabrook

IT'S THE CHRISTMAS WEEK ATTRACTION IN MANY LOEW THEATRES THROUGHOUT THE COUNTRY!



These senaritas from seven Latin American countries express Gaod Neighbar solidarity by selecting Douglas Fairbanks, Jr. as their favorite screen star!

ning one right after another from UNITED ARTISTS

Short Subject Reviews

"War Clouds in the Pacific"

(Warwick-M-G-M)

The Canadian Government completed this film on the war danger in the Pacific just before the attack of Pearl Harbor Dec. 7. While it treats with Japan as a potential danger, the commentary, of course, makes no reference to the outbreak of war. The friendliness of Japan to the Axis, the danger points in the Pacific and the fortifications and fleet ready to meet any threat are described at length. Shown, too, are Japanese factories making munitions, German officers in Japan and the general strategy of defense.

The reel shows intense preparations being made to ward off surprise attacks, with naval officers peering off into the horizon and furious preparations under way at Pearl Harbor —scenes which may make the audience gasp in the light of what actually occurred. Nevertheless, the reel is instructive and its unusual timeliness should make it popular with audiences. Running time, 21 mins. Release, Dec. 24, 1941.

"Scenic Grandeur"

(FitzPatrick Traveltalk)

(M-G-M)

The camera finds picturesque backgrounds and a wide variety of natural beauty in the Northwest for this new FitzPatrick Traveltalk subject. Many of the glacial scenes are impressive, having been caught by the camera from both sea and air. Color makes a vital contribution to the subject, particularly in shots of light effects of the Midnight Sun. Running time, 9 mins. Release, Dec. 13, 1941.

"Wedding Worries"

(Our Gang Comedies)

(M-G-M)

Our Gang worries about what will befall one of its members when her father decides to present her with a stepmother, and decides to do something about it. Their plans for preventing the wedding ceremony fail but leave considerable wreckage and some laughter in their wake. Running time, 11 mins. Release, Dec. 13.

"Porky's Pooch"

(Looney Tune)

(Schlesinger-Warners)

An ex-hobo dog tells another canine still down on his luck how to find a master and live in style. The now wealthy dog describes how he picked Porky Pig as master and, after some difficulty, won the soft spot. Good for a few laughs. Running time, 7 mins. Release, Dec. 6, 1941.

"The Night Before Christmas"

(Technicolor Cartoons)

(M-G-M)

Here is a swell cartoon for any holiday program. It resorts to many of the familiar animations of the cat and mouse chase reels but carries a good Christmas spirit message that provides a fine, original ending. Color adds materially to the eye-pleasing piece. Running time, 9 mins. Release, Dec. 6, 1941.

Reviews

"Fiesta"

(Roach-United Artists)

Hollywood, Dec. 21

WHEN this item in Hal Roach's sequence of "streamlined features" is devoted to the presentation of singing and dancing ensembles in the Mexican tradition, which is most of the time, it is a treat in Technicolor for eye and ear.

When it is devoted, between ensembles, to telling a tale about a fortune-hunter intent upon wedding the daughter of the rancho, and being exposed as a fraud by her boyhood sweetheart and his pals masquerading as bandits, it is a strain upon credulity and a test of audience patience. It is as a novelty in Technicolor that the film has a chance with an audience brought into the theatre to see another picture.

Production and direction by Leroy Printz are effective in the musical moments, casual elsewise. Anne Ayars, George Negrete, Armida, George Givot, Antonio Moreno, Nick Moro, Frank Yaconelli, George Humbert, Paco Moreno, Betty Bryson, Carlos Valadez, Jose Arias and his Mexican Tipica orchestra and the Guadalajara Trio are the listed talent.

Running time, 45 minutes. "G."* ROSCOE WILLIAMS

"Law of the Timber"

(Producers Releasing)

Hollywood, Dec. 21

JAMES OLIVER CURWOOD'S story, "The Speck on the Wall," has been adapted for "Law of the Timber." Strong, melodramatic material, murders, a forest fire, fights and dynamite blasts are presented in the offering, whose story deals with the efforts of several men, through sabotage, to take over a lumber mill engaged in filling a national defense order. It hits the target of action fan patronage.

Marjorie Reynolds, Monte Blue, J. Farrell MacDonald, Hal Brazeal, Sven-Hugo Borg and Earle Ebe head the cast. Effective technical results are achieved by producer-director Bernard B. Ray and George R. Batcheller, Jr., in charge of PRC production, who gave the film quality which belies the budget. The dialogue and the acting are below par in some spots, however.

Running time, 64 minutes. "G."* VANCE KING

"Billy the Kid's Round-Up"

(Producers Releasing)

EFFECTIVE playing by the personable Buster Crabbe and a few good action scenes help matters some, but beyond that the Western is of minor caliber. The yarn is typical and its presentation is somewhat shy of color.

Al St. John offers the comedy, while in other supporting roles are Carleton Young, Joan Barclay, Glenn Strange, Charles King, Slim Whitaker and Dan Webster. The director is Sherman Scott and the producer Sigmund Neufeld.

The skullduggery comes in when the sheriff is murdered and the usual group of bad men try to promote the election of the conniving deputy. Crabbe and Young counter by nominating St. John. The battle begins and St. John gets the job.

Running time, 58 minutes. "G."* EUGENE ARNEEL

"The Lone Rider Fights Back"

(Producers Releasing)

FOR those exhibitors whose patrons care more for fighting on the screen than for what goes with it, this "Lone Rider" issue should be adequate. It opens with a barroom fray and many of the following sequences are similarly hardy.

The smooth talking "Rider" with the lethal punch is George Huston. His comic partner is Al St. John. Others figuring in the story less prominently are Dennis Moore, Frank Hagney, Charles King and Frank Ellis.

The yarn, which might have been told more directly, has to do with the murder of a ranch owner and attempts to wrest the property from the victim's daughter. Huston sees to it that the attempts fail. Sam Newfield directed the Sigmund Neufeld production.

Running time, 64 minutes. "G."* EUGENE ARNEEL

*"G" denotes general classification.

Short Subject Reviews

"The Mechanical Monsters"

(Superman Cartoon)

(Paramount)

Well named is Superman, who has the speed of a discharged bullet, X-ray eyes capable of penetrating metal, et In this, his second screen appearanc for Paramount, he battles a smal army of robots controlled by a villainous inventor after one of the "mechanical monsters" takes to the ai with a $50,000,000 jewelry haul Upon defeating the army in shor order, Superman zooms through the air and effects a nick-of-time rescue of the pretty feminine reporter who is suspended over a cauldron of liquid fire. The cartoon is cleverly done in color, is certainly exploitable, and should bring results where the fantastic makes for entertainment. Running time, 10 mins. Release Nov. 21 1941.

"Nothing But Nerves"

(Benchley Comedy)

(Paramount)

This is a quiet and humorous session with Robert Benchley who tells about a man (Benchley again) and his case of the jitters. "Mr. Average Man" starts the day off with an unsuccessful attempt to steady his quivering hand at breakfast, becomes repeatedly unnerved when the phone rings, the plumbers go to work on the pipes, his cigar lighter actually lights, and finally in his retreat he locks himself in the stall shower only to have the plumber release the water Benchley's comedy has a definite flavor. Running time, 10 mins. Release, Jan. 2, 1942.

"Screen Snapshots No. 4"

(Columbia)

The entire reel, in this case, is given over to Billy Gilbert who takes a day off to visit San Francisco. He visits City Hall, speaks to the mayor, looks in at the mint, drives a street car works as a chef, visits Chinatown and winds up with a personal appearance Should please the Gilbert fans. Running time, 10 mins. Release, Dec. 1941.

"Buying a Dog"

(Sportlight)

(Paramount)

This imparts some really worthwhile knowledge about dogs in addition to providing entertainment. With Ted Husing narrating, the short shows a number of prize canines and their proper care and tops it off with the affection between a youngster and his newly acquired pal. It should register with all. Running time, 10 mins. Release, Dec. 26, 1941.

"Rookie Revue"

(Merrie Melodies)

(Schlesinger-Warners)

The usual complications of a rookie's life in the Army camp are satirized. Done in color; the cartoon also makes some pointed references to the lack of equipment in the Army, a factor which some audiences may take amiss in view of the current war situation. It has lots of good gags. Running time, 7 mins. Release, Oct. 25 1941.

MOBILIZED for BOXOFFICE!



ISSUE No. 5 (VOL. VIII)

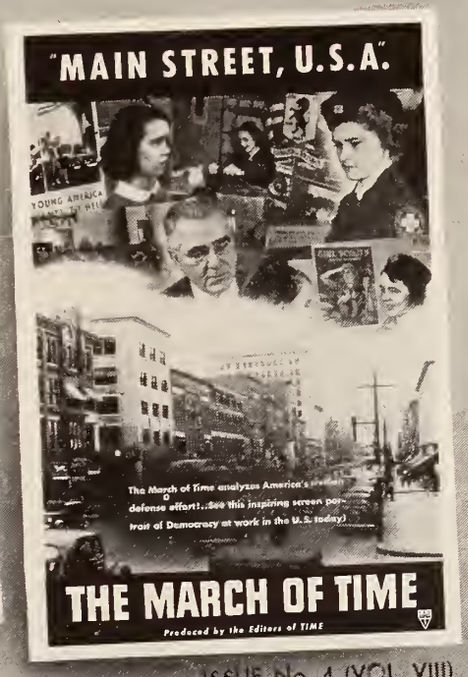
Already March of Time camera crews are mobilized and at their war stations! Besides the home office staff, ready to jump whenever and wherever the news breaks, Black & Maedler are in the Pacific . . . Jurgens is in South America . . . Hodgson & Wyand are still in London.

Maurice Lancaster is with Wavell in India . . . Novarro is covering the Middle East . . . Rebière is in Spain . . . Pagès in French Africa . . . Nichols in Singapore . . . and Thomas Kwang is following Chiang Kai-shek and his armies from the Burma Road to Hongkong.

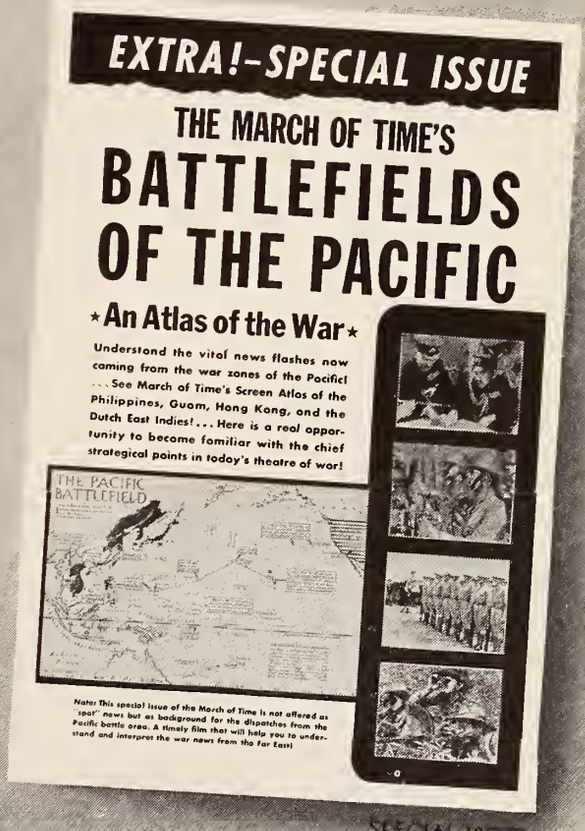
These men will bring the biggest stories of the war to your screen!



ISSUE No. 3 (VOL. VIII)



ISSUE No. 4 (VOL. VIII)



SPECIAL ISSUE

THESE ONE-SHEETS ON MARCH OF TIME SUBJECTS ARE NOW AVAILABLE AT ALL NATIONAL SCREEN ACCESSORY OFFICES

Set Clearance For Portland; File N.Y. Case

(Continued from page 1)

was withdrawn at the Philadelphia board.

The Portland award establishes the maximum clearance on the three defendant distributors' product for first runs over second runs at 42 days after the close of the first run or after the end of the third week of first run, whichever is the earlier. Clearance of second runs over third runs is set at 14 days; clearance of third runs over fourth runs at 14 days and fourth runs over fifth runs at seven days. The award does not apply to pictures which had not completed its first runs at the time the award was entered.

The agreement affects virtually every theatre in Portland, not only because the award involves everything down to fifth run but also because of the large number of theatre operators who intervened in the case and, therefore, are affected by it. The complaint was brought originally by William Graeper, operator of Graeper's Egyptian, Portland, against all five consenting distributors in an effort to have the 91 days clearance of first runs over his theatre reduced to a maximum of 45 days. The complaint was withdrawn early in November following a settlement agreement among the parties. Subsequently, also by agreement of all parties, it was reinstated and Irving Rand, arbitrator, was asked to enter a consent award embodying the availability schedule described.

In the final award, the complaint was dismissed as to Loew's by agreement and as to 20th Century-Fox because its affiliated theatres were involved as respondents.

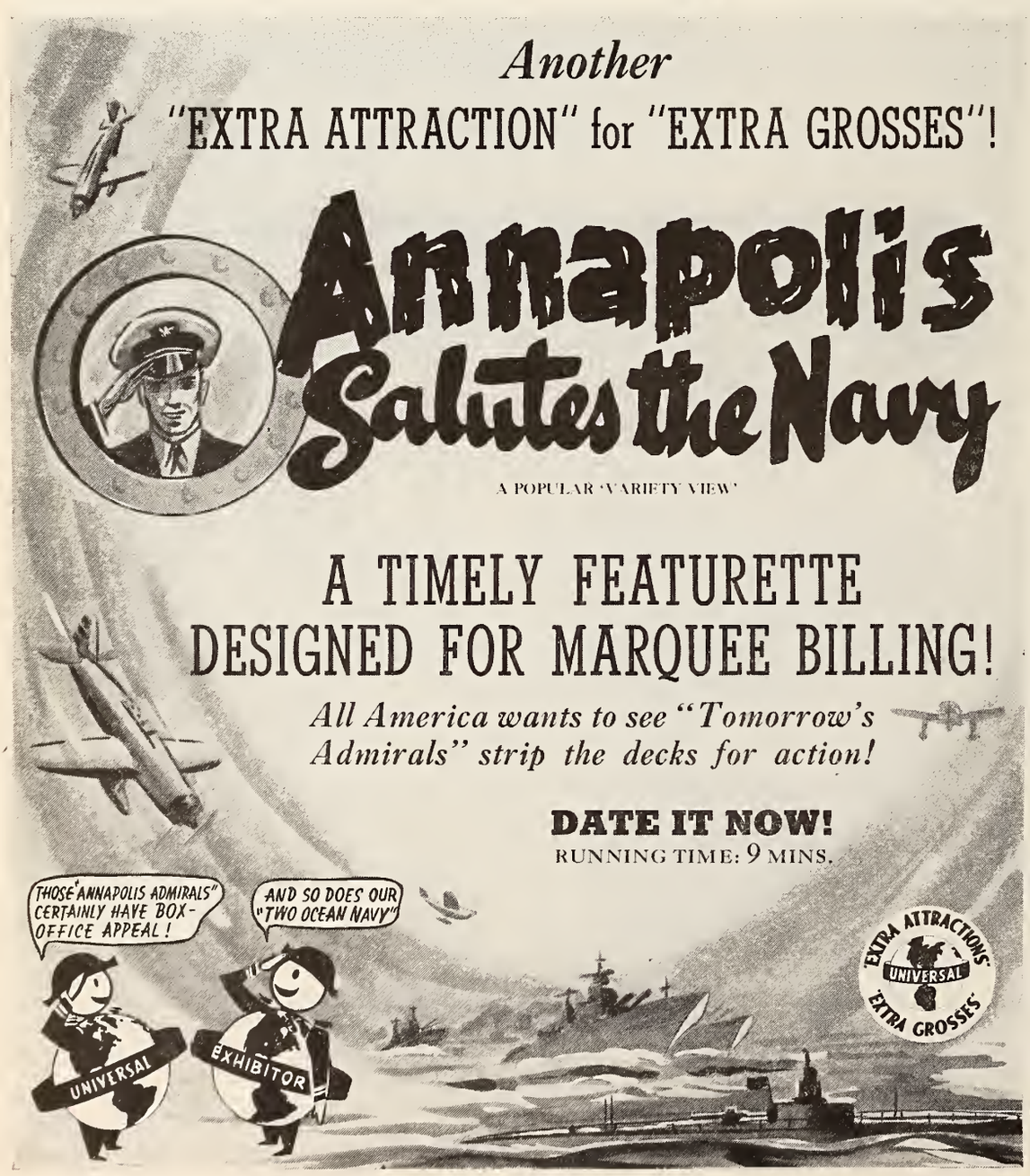
The 30th New York complaint was filed by Coy Operating Co., Savoy Theatre, Jamaica, L. I., on some run against Paramount, RKO and 20th Century-Fox. The Skouras Jamaica and Loew's Hillside are named as interested parties. The complaint charges that the Savoy was refused second run in its zone by the defendant distributors because of the circuit buying power of the two theatres named, which were given the run sought by the Savoy. An award is requested prohibiting the distributors named from licensing for second run in the zone other than by separate contracts for individual theatres.

The Philadelphia complaint withdrawn was that of Lewen Pizor and Herman Coane, operators of the Colonial, against all five consenting distributors, on clearance. It was the second complaint to which Pizor was a party that has been withdrawn at the Philadelphia board, although his first withdrawal, involving his Tioga Theatre, subsequently was refiled.

Attorneys Employed in 86% of Arbitration Cases

Attorneys have been employed in 86 per cent of the arbitration cases filed during the first nine months of the operation of the boards, a third quarterly report of the American Arbitration Association published in the current *Arbitration Journal*, reveals. During that time 139 cases were filed.

The report shows that during only the first six months of the boards' operation costs of cases averaged $87.87, of which exhibitors paid $58.23 and distributors $29.64. The cost figures, reported in MOTION PICTURE DAILY Nov. 9, do not include attorneys' fees, costs of appeals or the distributors' cost of maintaining the system.



Law Can't Overcome Films' Intangibles, Agnew Tells Court

(Continued from page 1)

The defense indicated it expected to complete its case in one week thereafter. Agnew's testimony, which was completed Friday, contributed another chapter to the defense attempt to show that the unpredictable and intangible elements of the industry cannot be overcome by legislative rules of conduct and might be disastrous if attempted.

Agnew testified that Paramount usually "listened around" when other companies were preparing their product schedules, and that the company determined the number of pictures it would produce in conferences of its officials. He pointed to a long list of pictures as evidence that excellence of product does not necessarily mean proportionately good financial return.

Cites 'Financial Failures'

Cecil B. DeMille's "The Crusades" was "a financial failure of the first magnitude," Agnew said. "Alice in Wonderland," despite a heavy cost, did not return its production outlay, he said.

Other productions which he listed as financial failures were: "Little America," "Peter Ibbetson," "So Red the Rose," "Maid of Salem," "The Angel," "The Light That Failed," "The World in Flames," and, for other companies, "The Little Princess," "The Great Waltz," "The Howards of Virginia" and "Romeo and Juliet."

He contrasted these with such successes as "Going to Town," "Klondike Annie," "The Bride Comes Home," "Waikiki Wedding," "Artists and Models," "The Road to Singapore" and other "light and frothy" offerings.

'Tahiti' and Rand Kansas City Best

KANSAS CITY, Dec. 21.—South of Tahiti," with Sally Rand heading the stage show, drew a strong $10,000 at the Tower. "Sundown" and "Niagara Falls" took $10,000 at the Midland.

Estimated receipts for the week ending Dec. 9-11:

"Swamp Water" (20th-Fox)
ESQUIRE—(800) (30c-44c) 5 days, 2nd week. Gross: $1,700. (Average, 5 days, $1,700)
"Sundown" (U. A.)
"Niagara Falls" (U. A.)
MIDLAND—(3,600) (30c-44c) 7 days. Gross: $10,000. (Average, $8,500)
"Skylark" (Para.)
NEWMAN—(1,900) (30c-44c) 7 days. Gross: $8,000. (Average, $7,000)
"Look Who's Laughing" (RKO)
"Mexican Spitfire's Baby" (RKO)
ORPHEUM—(1,900) (30c-44c) 7 days. Gross: $5,000. (Average, $5,000)
"South of Tahiti" (Univ.)
TOWER—(2,200) (30c-50c) 7 days. Stage: Sally Rand. Gross: $10,000. (Average, $6,000)
"Swamp Water" (20th-Fox)
UPTOWN—(2,000) (30c-44c) 5 days, 2nd week. Gross: $2,000. (Average, 5 days, $3,000)
"Strange Alibi" (W. B.)
MAINSTREET—(3,500) 28c-44c) 7 days. Stage: Loie Bridge and company. Gross: $8,500.

Named Warner Booker

NEW HAVEN, Dec. 21. — J. R. Mahan, Warner manager here, has promoted Sidney Levine, former assistant booker, to booker, succeeding Victoria Cusanelli, recently married and resigned. Jack Mullen moved up to assistant booker.

Critics' Quotes . . .

"H. M. PULHAM, ESQ." (M-G-M)

May prove a quiet affair for some tastes. On the other hand, Marquand's frustrated people and their special problems have been presented with a good taste, subtlety, and conviction that easily makes up for the lack of dramatic action.—*Newsweek.*

I enjoyed the picture. . . . It's directed with care, set out beautifully and acted with superior ability.—*Lee Mortimer, New York Daily Mirror.*

J. P. Marquand's novel about a renegade Yankee, "H. M. Pulham, Esq.," has been made into a superior film . . . a tremendously vital and entertaining screen record of an upper class Bostonian trying to escape from the clutch of family, tradition and an ordered pattern of existence.—*Howard Barnes, New York Herald Tribune.*

In brief, Mr. Vidor has permitted his film to lose ironic point. . . . He has failed to make "H. M. Pulham, Esq.," either a credible social document or an account of a truly pathetic life.—*Bosley Crowther, New York Times.*

An adult and intelligent motion picture. . . . Of necessity, the Marquand story has been compressed in the translating. Neither the meat nor the savor has been lost in the process although the film is, strangely, less dramatic than the novel.—*Eileen Creelman, New York Sun.*

"CONFIRM OR DENY" (20th Century-Fox)

With performances nicely taken care of by Don Ameche, Joan Bennett and redoubtable character actors and able direction by Archie Mayo, this 20th Century-Fox production blends tragedy with comedy expertly to make an interesting war drama with a funny side.—*Wanda Hale, New York Daily News.*

With our own air raid wardens in the audience taking notes, "Confirm or Deny" turns out to have a lot more sock than it knew it had.—*Louise Levitas, PM (New York).*

Essentially a drama, but it also seems so accurate in all the ramifications of its backgrounds and material that one must consider it as an interesting documentary as well as an entertaining melodrama.—*Robert W. Dana, New York Herald Tribune.*

Circumstance has provided "Confirm or Deny" with a dramatic intensity which obviously is not inherent in the scenario.—*New York Times.*

Indeed, this is easily the screen's most vivid and well-considered melodrama dealing with the conduct of people when the bombs are dropping . . . the film, directed by Archie Mayo, is staged so convincingly that it might just as well have been photographed in the London streets.—*Donald Kirkley, Baltimore Sun.*

"SMILIN' THROUGH" (M-G-M)

Neither much better nor much worse than its predecessors, the new film has the double advantage of color and Miss MacDonald's voice, to which might be added her justly famous red hair and ready smile.—*Donald Kirkley, Baltimore Sun.*

It is a little long and tear-laden, and the story dated; but its appeal is still obvious. This new version has mood and background, and in addition, several welcome innovations—the use of Technicolor, the beauty and voice of Jeanette MacDonald.—*Philadelphia Record.*

There isn't much novelty left in "Smilin' Through." And its sentiment has turned so soggy that there seems very little reason for remaking it even with Miss MacDonald and the benefits of color photography.—*Mildred Martin, Philadelphia Inquirer.*

A lachrymose, sticky, super-sentimental romance conceived and acted by Jane Cowl for the post-war U. S. of 1919. Its present revival differs from its predecessors in one respect: Technicolor.—*Time.*

The chief trouble of the current version is that, despite Technicolor, songs, and Jeanette MacDonald, it differs so little from its predecessors that you can't miss the dust and occasional cobwebs accumulated with the years.—*Newsweek.*

"ONE FOOT IN HEAVEN" (Warners)

It is a notable adaptation. The lively, humane, very worldly doings of Parson Spence have been transferred to celluloid with intelligence and charm.—*Time.*

There is nothing preachy in this film story of the life of a Methodist preacher . . . a camera drama that is humorous, deeply and sympathetically human, interesting and inspiringly entertaining.—*Nelson B. Bell, Washington Post.*

Warners have succeeded admirably. It is not a fast-paced story, nor is it very carefully strung together, but in its separate anecdotes there is much amusement and much entertainment.—*Helen Muchalter, Washington News.*

A picture to charm the heart with its sincerity and its simplicity.—*Jay Carmody, Washington Star.*

"NOTHING BUT THE TRUTH" (Paramount)

Although it is the weakest of Bob Hope's recent vehicles, it is good for a reasonable number of laughs.—*Newsweek.*

An old turnip that was squeezed dry long ago . . . telling the truth isn't funny any more.—*Time.*

The moment Mr. Hope makes his first appearance, the gags begin to go off like a string of firecrackers. He gives sparkle, zest and renewed life to a type of farce which many thought to be on the way to obsolescence.—*Donald Kirkley, Baltimore Sun.*

Minneapolis Gives 'Flying' Big $8,500

MINNEAPOLIS, Dec. 21.—"Keep 'Em Flying," at the Orpheum drew $8,500, while "Suspicion" attracted $7,500 at the State. The war declaration depressed business.

Estimated receipts for the week ending Dec. 11:

"Suspicion" (RKO)
STATE—(2,300) (28c-39c-44c) 7 days. Gross, $7,500. (Average, $6,000)
"Shadow of the Thin Man" (M-G-M)
CENTURY—(1,600) (28c-39c-44c) 7 days, 2nd week. Gross, $5,000. (Average, $4,000)
"Keep 'Em Flying" (Univ.)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross, $8,500. (Average, $5,500)
"Law of the Tropics" (W.B.)
GOPHER—(998) (28c) 7 days. Gross, $2,800. (Average, $2,500)
"Ladies in Retirement" (Col.)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross, $1,800. (Average, $1,600)
"Bandit Trail" (RKO) 3 days
"Unexpected Uncle" (RKO) 3 days
"Lady Scarface" (RKO) 4 days
"The Stork Pays Off" (Col.) 4 days
ASTER—(900) (17c-28c) 7 days. Gross, $1,700. (Average, $1,800)

Opens Phila. Exchange

PHILADELPHIA, Dec. 21. — Murray Schwartz, formerly branch manager of the Peerless exchange here, has opened his own independent exchange to be known as Astor Corp. He has obtained the franchise for Astor Pictures, and in addition, will handle the product formerly carried by Peerless.

Manages Toronto Theatre

TORONTO, Dec. 21.—Harry S. Dahn, for years with Famous Players Canadian Corp., has become manager of the Midtown Theatre, first run here of the 20th Century circuit.

'Swamp' Beats War Slump in Philadelphia

PHILADELPHIA, Dec. 21.—The outbreak of war held down business at the downtown houses. "Swamp Water" at the Stanton took a big $10,000.

Estimated receipts for the week ending Dec. 9-12:

"The Little Foxes" (RKO)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $7,000. (Average, $9,600)
"The Chocolate Soldier" (M-G-M)
"Unholy Partners" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run, $3,000; 4 days, 2nd run, $1,100; 11-day average. Gross: $4,100. (Average, $2,600)
"Two-Faced Woman" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. 2nd week. Gross: $13,000. (Average, $13,000)
"Blues in the Night" (W. B.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville, including Shep Fields Orchestra, John Boles. Gross: $20,000. (Average, $14,000)
"Marry the Boss's Daughter" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Jean Mode. Isobel Brown. Gross: $6,200. (Average, $6,900)
"Birth of the Blues" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $9,000. (Average, $13,000)
"Hot Spot" (20th-Fox)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,000. (Average, $3,600)
"Sergeant York" (W. B.)
KEITH'S—(2,200) (46c-57c-75c) 7 days, 2nd week, 2nd run. Gross: $7,000. (Average, $4,500)
"Keep 'Em Flying" (Univ.)
STANLEY—(2,700) (35c-41c-46c-57c-68c) 7 days. Gross: $17,500. (Average, $14,000)
"Swamp Water" (20th-Fox)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $10,000. (Average, $4,500)



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On The Press!

Edited by

TERRY RAMSAYE




A QUIGLEY PUBLICATION




FCC Reports Defense Chief Work of Year

(Continued from page 1)

ere 67 FM authorizations and 43 applications pending, with an estimated 20,000 FM receivers in public use. pplications for FM stations in New ork City far exceeded the available equencies there, it was stated.

In the television field, eight stations ad been given commercial authorizaons and a score of experimental staons had signified their intention of oing commercial as soon as possible, was said.

Defense activities were centered rgely in the National Defense Operions Section, which established early 100 monitoring stations hroughout the country to detect vioations of laws, treaties or regulations, nd through which several hundred legal transmitters were closed down; ne foreign broadcast monitoring servce, which analyzes propaganda, news nd entertainment from foreign staons, and the Defense Communicaons Board, which has developed a rogram for operation of communicaons services during the war.

NAB Issues Guide On New Programs

(Continued from page 1)

uests to report for civilian defense. They should be qualified and not nade imperative.

Stick to facts, not underestimating nemy strength.

Do not allow sponsors to use the ews as a springboard for commerials.

Do not use sound effects on dranatic programs which might be conused with raid alarms or the like.

Do not try to second-guess military fficials, broadcast lists of casualties, r permit speakers to say anything of id to the enemy in the course of dissussions.

Do not broadcast the location of lants making war materials, and do ot take chances with ad lib prorams.

Power to FDR Over All Communications

(Continued from page 1)

f the Communications Act, restores owers held by the President during he first World War to close stations nd remove their equipment or authorze the use or control of stations by ny Government department, with proision for just compensation to the wner.

Radio News in Theatre

CINCINNATI, Dec. 21.—WKRC here as arranged to send by telephone ines three newscasts daily to the RKO Albee, 3,300-seat house here. The ewscasts are made by Garnett Marks t noon, mid-afternoon and evening.

L. A. Station Owner Dies

LOS ANGELES, Dec. 21.—Victor Dalton, 50, owner of KMTE, died here after an illness of three weeks.

Off the Antenna

FIVE NBC-Red stations have started or are about to start operations on increased power. WJAR, Providence, is now on 5,000 watts nights, as is WWJ, Detroit. KGW, Portland, Ore., is scheduled to go up to that power on Dec. 26, while WTAG, Worcester, Mass., will boost its night time power to the 5,000-watt mark on New Year's Day. WTMA, Charleston, S. C., is expected to start operation with 1,000 watts, day and night, on Feb. 1.

On the Blue, WAYS, Charlotte, N. C., is scheduled to go on the air New Year's Day. Technical installations have been completed and final tests for the FCC begun.

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Purely Personal: *Tom Braden, WOR trade news editor, left Friday for military service. . . . Sheridan House will publish shortly "Men of War" by Johannes Steel, WMCA commentator, based on his recent trip to England. . . . Brewster Morgan's script of the 54th "Report to the Nation" will be used by the War Department for instruction to news and radio editors on how to deal with rumors. . . . Hudson Hawley has resigned as news editor of NBC short wave to become editorial assistant to Stanley Richardson, Coordinator of short wave broadcasting. . . . Fred Scott, formerly of WAVE, Louisville, has joined the announcing staff of WJJD, Chicago. . . . David E. Patridge, formerly of KMBC, Kansas City, has joined WLW-WSAI, Cincinnati, as assistant to the promotion director. . . . Glenn Miller has accepted appointment as national chairman of the dance orchestra leaders' division of the Committee for the Celebration of the President's Birthday.*

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International Telephone & Telegraph Co. will sponsor a digest of Latin American news on WABC beginning Dec. 29. It will be heard 6:10-6:15 and there will be no commercials on the show, it being intended purely as a goodwill message.

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Last minute war news Saturday afternoons direct from the scene of the battle will be featured in a new program, "War Correspondent," which Libby-Owens-Ford will sponsor over 30 NBC-Red stations. It will begin either Jan. 10 or 17. The starting date has not yet been decided. Ben Grauer will be master of ceremonies and any one or more of NBC's correspondents around the world will be picked up as the news warrants. The program is timed 5:45-6 P.M. to take advantage of the early deadlines of Saturday afternoon programs.

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Program News: *Al Pearce will switch to NBC-Red Jan. 8 and will be heard Thursdays 7:30-8 P.M. Xavier Cugat, now heard at that time, will go over to Wednesdays, 9:30-10 P.M. on the Blue, replacing, in turn, "Penthouse Party." Both Pearce and Cugat are sponsored by R. J. Reynolds Tobacco. . . . Lewis-Howe has renewed "Treasure Chest" over 77 NBC-Red stations for another year. . . . Fulton Lewis, Jr., Mutual commentator, is now heard over 53 stations on a commercial basis with 31 local sponsors. . . . Marlin Firearms will sponsor news 6:55-7 A.M. Monday through Saturday over WABC starting Jan. 5. . . . American Chicle has renewed for six months Don Goddard's "Your Morning News" over WEAF, 7:30-7:45 thrice weekly. R. J. Reynolds Tobacco will sponsor a new show, "How Am I Doing," over 100 CBS stations beginning Jan. 9. It will be heard Fridays 7:30-8 P.M. with Bob Hawks as master of ceremonies. . . . Nineteen stations have been added to the NBC-Blue hookup for "America's Town Meeting of the Air," bringing the total to 129. . . . "You Tell 'Em Soldier," with Jack Arthur as master of ceremonies, will start tonight over WHN, 9:30-10 P.M. It will originate at Fort Hancock, N. J.*

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Neville Miller, National Association of Broadcasters president, will be guest of honor at the annual dinner of the Poor Richard Club in Philadelphia Jan. 17. Members of the club's radio committee are Roger W. Clipp, general manager of WFIL; John E. Surrick, WFIL sales manager; Leon Levy, WCAU president, and Leslie Joy, KYW general manager.

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In Pittsburgh: Franklin Tooke has replaced George Heid as program manager of KDKA. He comes from WOWO-WGL, Fort Wayne, Ind. . . . Joe Mulvihill, formerly at WCED and WMBS, is a new announcer at WCAE. . . . Jack Logan, announcer at WJAS, has enlisted in the Navy, and Gifford Bixbee, WCAE engineer, has joined the Army. . . . Announcer Ray Spencer of WCAE has begun a "Cakes for Charity" drive over the station, offering 17 cash prizes for the best cakes donated.

Ascap Signs WWL

NEW ORLEANS, Dec. 21.—WWL, CBS outlet in New Orleans, has signed an agreement with Ascap, Studebaker Lucas, attorney for Ascap here, has announced. Other local network affiliates, WSMB of NBC-Red, WDSU of NBC-Blue, and WNOE of MBS, are still negotiating, he said.

NewShortWaveMagazine

A new magazine, *Pan American Radio,* devoted to short wave broadcasting, made its appearance Friday. The text is in Spanish and Portuguese, in addition to English.

Wrigley Donates Air Time for Navy

The William Wrigley, Jr., Co. on Friday donated time over 69 CBS stations to the U. S. Navy for a half-hour weekly series to be heard Thursdays, 10:15 to 10:45 P.M.

The program will be devoted to informational services of the Navy. It will originate from the Great Lakes Naval Training Center, near Chicago, and WBBM, Chicago, will feed the program to the network. Bobbie Brown will act as producer.

46 Stations Joined NBC Webs in 1941

Technical improvements and the addition of new stations featured the year for NBC, according to a year-end summary of activities released by the network over the weekend. A total of 36 stations joined the Blue network, four were added to the Red and six stations joined as optional outlets for Red or Blue. Power increases were granted 79 stations and nine affiliates received more favorable frequencies. Four stations left NBC during the same period.

330 Hours to Defense

During the first 10 months of the year, 1,062 defense programs were broadcast, of which 338 were originated by NBC and the remainder broadcast in cooperation with Government agencies. Exclusive of spot announcements and local shows, 330 hours were devoted to defense, of which NBC donated 295 hours. At present, the schedule has been increased to more than 100 defense broadcasts monthly.

News shows increased 65 per cent in volume during 1941. Two new listening posts were opened, one on each coast. The short wave network was started with 23 Mexican stations, and there are now three regular commercial accounts on that web. NBC also has five sponsors for its own two stations and WBOS, the Westinghouse short wave transmitter in Boston. The short wave staff increased from 40 to 70 during the year.

On the educational front, NBC has started libraries of recordings for schools and other organizations and hopes to expand this service during 1942. About 600 hours of network time was devoted to women's shows, it was stated. Following difficulties with the American Federation of Musicians, NBC-Red radically revamped its late evening shows.

Four Million Visitors

Visitors to Radio City were many. More than 350,000 persons paid for tours of the plant and another 1,500,000 visited the studios during the year. About 4,000,000 persons, it was said, have taken the tour since the sightseeing trip was started some years ago.

During the year, the short wave transmitter was rebuilt, new studios were added at Radio City, a new plant is under construction at San Francisco and studios were added at Chicago, Washington and Denver. The FM transmitter is being prepared for commercial use and ultra high-frequency links between various points have been installed for radio relays when telephone lines are cut off or are undesirable for technical reasons.

Television was, of course, a major step forward although its progress was hampered somewhat by the war. NBC became the first and only commercial television outlet in this area during the year and a staff of 80 was maintained. Although only 15 hours of weekly programs are required, December's total is expected to reach 75 for the month. There are four sponsors on the air regularly now.

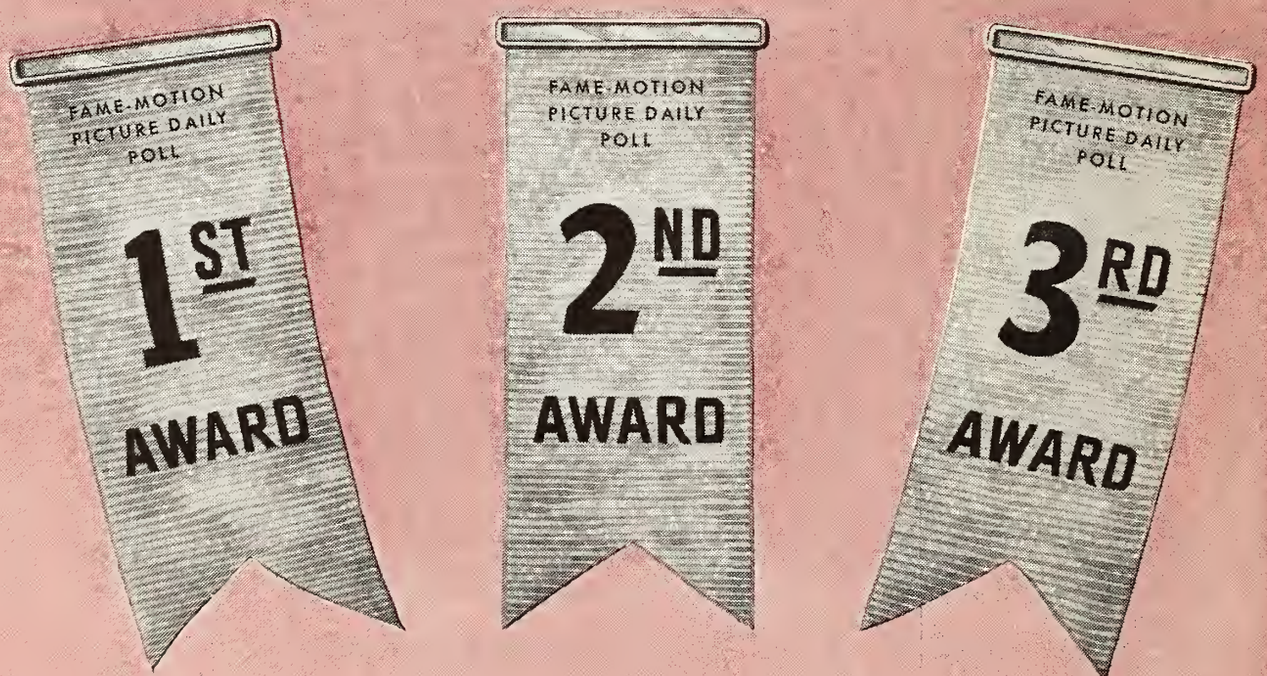


BOB HOPE — CHAMPION OF CHAMPIONS

HERE AT THE RED NETWORK . . .

We can't even BLUSH any more !

(First, Second and Third Awards in Fame-Motion Picture Daily Poll
Go to Red Network Programs)



The Experts, as well as the Listeners, Give NBC RED Top Honors—and That's no Blushing Matter!

OF course we're happy about winning the top three honors in the Fame-Motion Picture Daily Poll—but the Red's fine showing all along the line means a great deal more from a practical angle than just the annual winning of popularity polls.

It demonstrates, primarily, *why* 36.9% *more* radio families "listen most" to the NBC Red Network than to any other network by day... and 41.7% *more* by night ... as revealed by the listeners themselves in the All-County Census of Radio Listening Habits.

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In addition to winning the top three places in the "Champion of Champions" classification, NBC Red programs took the lion's share of the remaining honors. In all, NBC Red shows won 14 first places—against 7 for the next network and 1 for the third—12 out of 22 second places and 9 out of 19 thirds.

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So, to the experts, for doing such a good job of reflecting the vast listening audience's preferences, *thanks*... to the winning artists and sponsors—*congratulations!*

BOX-SCORE—1941
Fame-Motion Picture Daily Poll

NBC RED took "three out of three" (first place, second place *and* third place) in these 5 classifications: Champion of Champions... Best Comedienne... Best Comedy Team... Best Master of Ceremonies... Best Variety Program.

NBC RED took the "*top* two" (first place *and* second place) in these 3 classifications: Best Classical Male Vocalist... Best Comedian... Best Dramatic Series.

NBC RED took first place in these 14 classifications: Champion of Champions (Bob Hope)... Best Popular Male Vocalist (Bing Crosby)... Best Classical Male Vocalist (Richard Crooks)... Best Comedian (Bob Hope)... Best Comedienne (Fanny Brice)... Best Comedy Team (Fibber McGee & Molly)... Best Sports Announcer (Bill Stern)... Best News Commentator (H. V. Kaltenborn)... Best Master of Ceremonies (Bing Crosby)... Best Dramatic Series (One Man's Family)... Best Variety Program (Kraft Music Hall)... Best Quiz Show (Information Please)... Best Daytime Serial (Vic & Sade)... Outstanding New Star (Red Skelton).

NBC *Red* NETWORK

The Network MOST People Listen to MOST
(by the vote of the listeners *themselves!*)

NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

TELL IT YELL IT!

★ You can't keep secrets in show business and expect the public to make a rush for your box office. ★ **Tell it! Yell it! That's the way to sell it!** Plaster your town . . . plaster your neighborhood. The show starts right in your lobby. ★ Use those press books. Plan your campaign like a general plans a battle. Every picture...big or little...is a battle to sell seats. Advertising is your ammunition. ★ Make it scream with entertainment-promise. Make it shout: Come in...look around. There's a good show inside. ★ Tell it— yell it— sell it —with

NATIONAL SCREEN SERVICE

Prize Baby of the Industry!



DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 123 NEW YORK, U. S. A., TUESDAY, DECEMBER 23, 1941 TEN CENTS

Procedure of L.A. Houses in War Outlined

Defense Bureau Issues 'Important Points'

Los Angeles, Dec. 22. — The heatre Defense Bureau of the Los ngeles Defense Council over the eekend issued a set of "26 impor- nt pointers" for theatre operators uring the emergency.

Number one on the list is that dur- g air-raid warnings, blackouts and tual attacks programs are to con- ue uninterrupted and patrons are to main in the theatre.

The bulletin urges that semi-weekly ills on panic prevention be held

(Continued on page 6)

3'way Theatres Regain Strength

Broadway theatres regained much of eir box-office composure which was ost with the first reaction to the war ince that fateful Sunday in Hawaii

There will be no restrictions on New Year's eve celebrations in Times Square, Police Commissioner Valentine announced yesterday.

hen Japan attacked. Business was ood over the weekend almost all long the Main Stem, despite the pre-Christmas shopping rush which also

(Continued on page 8)

Networks Flash Churchill Arrival

Fresh off the wire services, radio again had the privilege of flashing the world simultaneously the thrilling news that Winston Churchill, Britain's Prime Minister, was in Washington and in conference at that moment with President Roosevelt. Inquiry revealed that NBC-Blue broadcast the wired flash at 6:57 P.M. and CBS flashed it at about the same time, and NBC again at 7 P.M. Churchill, broadcasts disclosed a few minutes later, had arrived in this country by plane, accompanied by Lord Beaverbrook and naval, military and technical experts.

Three Skouras Bros. Given New Contracts As Circuit Operators

George P. Skouras has been given a 15-year extension of his present contract as operator of Skouras Theatres by Fox Metropolitan Playhouses, it is reported, as a reward for his services.

Spyros and Charles Skouras have signed a new five-year contract as operators of National Theatres, it is reported. Their contract additionally includes a five-year option in favor of the company, according to report.

Skouras Theatres Corp. operates houses in the New York metropolitan area. National Theatres operates more than 400 houses in the Midwest and on the West Coast.

The Skouras brothers have long been prominent in circuit operation. Starting in St. Louis, where they were also active in distribution in the early days, they bought an interest in a circuit and eventually became first run

(Continued on page 8)

See Mono. Profit at $250,000 for Year

Chicago, Dec. 22.—With an indicated profit of $250,000 for the fiscal year ending next June, Monogram will release 34 features and at least 16 Westerns during the 1941-'42 season, Steve Broidy, general sales manager, told a meeting of the company's franchise holders at the Congress Hotel here over the weekend.

For the first five months of the fiscal year, starting July 1, Mono-

(Continued on page 8)

Industry's 'Dimes' Drive Pleases FDR

A message of appreciation from President Roosevelt to Nicholas M. Schenck, chairman of the motion picture committee to help fight infantile paralysis, was received by Schenck yesterday in a letter from Keith Morgan, national chairman of the March of Dimes campaign.

Morgan wrote that the President was "gratified" that the industry is undertaking a nationwide effort to help the drive. "I am sure he will watch the motion picture campaign with keen personal interest," the letter said. "Please express our appreciation to every person and theatre cooperating."

Loew's Plans Refunding of $18,000,000

Wall Street reports are that Loew's, Inc., is negotiating a refunding loan of approximately $18,000,000, part of which will be on a long-term basis and part on a short-term basis, with a group of nine insurance firms.

The funds it is reported are to be used for calling in all of Loew's outstanding $11,581,000 3½ per cent debentures due in 1946, and its $13,672,-

(Continued on page 8)

Kirsch Urges Patron Drive; Conn. Unit Opposes Decree

New Haven, Dec. 22.—Approximately 98 per cent of the independent exhibitors in this territory are opposed to the consent decree and urge a return to the old block system of selling with adequate cancellation provisions, Allied Theatre Owners of Connecticut reports as the result of its recent poll on the decree.

The result has been communicated to Abram F. Myers, chairman of the board of Allied States Association.

The letter to Myers, written by Maxwell A. Alderman, executive secretary for the organization, states: "The main objections of the independent exhibitors indicate that the con-

(Continued on page 8)

Chicago, Dec. 22. —The Motion Picture Industry Conference Committee group in charge of institutional advertising and goodwill activities has been called upon by Jack Kirsch, temporary chairman of the committee, to start a campaign immediately to get the public back to the theatre in the interest of national morale.

In a letter to members of the subcommittee, Kirsch points out that the decrease in attendance since the declaration of war is especially serious now because it comes in addition to the pre-holiday slump.

"It is not a good thing for the national morale for people to neglect

(Continued on page 8)

Daylight Time Move Seen as Film Problem

Radio Also Affected If Time Is Shifted

Considerable interest was expressed yesterday in film and radio circles as to the effect of a resolution introduced by Senator Sheridan Downey of California expressing Congressional approval of any action President Roosevelt may take to invoke daylight saving time in any section of the country during the war.

Although Majority Leader Barkley blocked immediate consideration of the measure, Downey pointed out that daylight saving on the West Coast would save fuel and power and would aid in the application of nightly blackouts. Barkley warned against taking any hasty action which might be regretted later and suggested that the resolution be studied before it was passed.

Meanwhile, the California State Senate by voice vote yesterday tabled Sen. Ed Fletcher's resolution urging Congress to vote daylight time. Fletcher withdrew another resolution to place California on daylight time

(Continued on page 6)

Van Wagner Named Comptroller of RKO

Garrett Van Wagner, who has been assistant treasurer of RKO and assistant to George J. Schaefer, president, yesterday was appointed comptroller of the company at a meeting of the board of directors.

Robert H. Dann and William F. Whitman were elected assistant secretaries of RKO.

Van Wagner's appointment followed approval by the board of the recom-

(Continued on page 8)

'Time' Sues to Enjoin M-G-M Film on War

Judge John Bright in U. S. District Court here yesterday signed an application by March of Time against Loew's, Inc., and Warwick Productions, Inc., ordering them to show cause why they should not be restrained from exhibiting "War Clouds in the Pacific," a two-reel film, unless scenes contained in that picture alleged to be the property of March of Time were removed. The film was compiled

(Continued on page 8)

Coast Flashes

Hollywood, Dec. 22

M-G-M announced today it will make "Six Girls in Uniform," a story of women replacing men in national defense factories, with Ann Sothern, Marjorie Main, Ann Rutherford, Virginia Grey, Virginia O'Brien and Patricia Dane.

Twentieth Century-Fox also announced a new war film, "Ground Pilots," the story of Army Air Corps ground crews, for early production.

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Alexander Korda plans the production of a film based on "War and Peace," Count Leo Tolstoy novel, in which he will star Merle Oberon. It is planned to start production early next Summer, with release by U. A. expected toward the end of the year.

•

Lester Rankin, describing himself as a Warner Bros. minority stockholder, has filed a Federal court suit in Los Angeles against the officers and directors of the company seeking the return of about $181,600 allegedly paid William Bioff and George E. Browne, former IATSE leaders. He also asked for the return of other undisclosed sums allegedly advanced union men.

W.B. Theatres Zone Meet Held in Albany

ALBANY, Dec. 22.—C. J. Latta, new Warner Circuit zone manager here, presided here today over a meeting of the 16 Western New York managers in Ralph Crabill's district.

Accompanying Latta, who outlined Warners' policy for 1942 and the wartime emergency, was Charles A. Smakwitz, zone publicity head.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
"H. M. PULHAM, Esq."
An M.G.M Picture with
HEDY LAMARR • ROBT. YOUNG
RUTH HUSSEY
With the Music Hall's
Great Christmas Stage Show
1st Mezzanine Seats Reserved. Circle 6-4600

BING CROSBY MARY MARTIN
In Paramount's
"BIRTH OF THE BLUES"
IN PERSON ORRIN TUCKER and Band featuring WEE BONNIE BAKER
PARAMOUNT TIMES SQUARE

Don Ameche Joan Bennett
'CONFIRM or DENY'
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
STARTS TOMORROW
'LOOK WHO'S LAUGHING'
Edgar Bergen
Chas. McCarthy
'ALL THAT MONEY CAN BUY'
Edward Arnold
Anne Shirley

Personal Mention

FRANCIS L. HARLEY, 20th Century-Fox managing director for Britain, and ROBERT T. KANE, head of the company's British production, arrived from Europe by clipper via Brazil over the weekend.

•

J. J. MILSTEIN has arrived in California from New York.

•

ROBERT PRACHETT, former Paramount booker at the St. Louis exchange, now with the Army in Hawaii, has sent word that he is safe.

•

HARRY M. BESSEY of Altec Service Corp. has returned from Detroit.

MATHEW J. FOX, Universal vice-president, yesterday arrived in Hollywood from the East.

•

SY WAXMAN, manager of the Hollywood and Cinema, Atlantic City, was called for active duty in the Navy. He will be stationed at the Philadelphia Navy Yard.

•

JUDGE JOSEPH VARBALOW, head of the Varbalow circuit in Southern New Jersey, has entered the Camden, N. J., hospital, for a checkup.

•

WILLIAM KNOTT KING of Philadelphia, and MARTHA MUNCIE were married recently.

Wiman Play Opens At Cort Tonight

"Letters to Lucerne," a new play by Fritz Rotter and Allen Vincent, opens tonight at the Cort with Grete Mosheim, Katharine Alexander, Sonya Stokowski, Phyllis Avery and Nancy Wiman among the players. Dwight Deere Wiman is the producer.

Taylor President Of ITA of Ontario

TORONTO, Dec. 22.—Nat Taylor, president of Twinex Theatres Corp., operating 20th Century Treatres in Ontario, has been elected president of the Independent Theatres Association of Ontario for 1942, the previous incumbent being Harry Alexander, owner of the Lansdowne, Toronto, who recently joined forces with Famous Players.

One of the new directors is Harry Firestone of Firestone Theatres Enterprises, subsidiary of Odeon Theatres of Canada, Ltd. M. L. Axler continues as secretary of the association and A. Polakoff, also of Toronto, succeeded Tom Walton as treasurer.

Jack B. Reith Dies

TORONTO, Dec. 22.—Jack B. Reith, 53, who came to Toronto from Chicago recently to take over management of the Midtown Theatre, died in Wellesley Hospital after a brief illness and his body has been shipped to Chicago for burial. He had been manager of RKO theatres in the United States for some years.

Hold Cadoret Rites In Rochester Today

ROCHESTER, Dec. 22.—Funeral services will be held here tomorrow morning at the Blessed Sacrament Church for William H. Cadoret, 65, general manager of Monroe Amusements, Inc., who died here Saturday following a heart attack. Burial will be in Bourbonnais, Ill.

Cadoret had been in the theatre business since 1909, and for many years was film buyer for the Comerford Circuit, with offices in Scranton, Pa., joining the circuit in 1921. He had charge of the Palace, Temple, Century, Regent, Capitol, and Monroe theatres here. One brother, Gerald Cadoret, is general field supervisor for the Comerford Circuit, and another brother, Arthur, formerly was associated with that circuit. William Cadoret is survived by his widow, and a daughter, Ellen.

Linet Installed as Mason Lodge Head

Hank Linet of Universal's advertising and publicity staff last night was elected and installed as master of City Lodge No. 408 of the Free and Accepted Masons. Delegates of the Masons from the film industry attended. The installation was at the Masonic Temple.

Mrs. A. P. Giannini Dies

SAN FRANCISCO, Dec. 22.—Mrs. A. P. Giannini, 72, wife of the board chairman of the Bank of America, and sister-in-law of A. H. Giannini, financier well known in the industry, died yesterday at the Mills Memorial Hospital here.

From the London Office of Quigley Publications

HOPE BURNUP
and
AUBREY FLANAGAN

send Greetings to all their friends throughout the world and wish them

A HAPPY CHRISTMAS
VICTORY and PEACE in 1942

Phila. W.B. Circuit Gives Xmas Bonus

Philadelphia, Dec. 22.—Managers and office employes of Warner Theatres Philadelphia zone were given a Christmas bonus equivalent to two weeks' salary. Action on bonuses is taken by the individual theatre zones and is determined by the individual earnings of each zone.

Nov. Tax Revenue Is Up to $10,411,197

WASHINGTON, Dec. 22.—Admission tax collections increased almost 50 per cent in the first month of application of the all-admission levy which went into effect Oct. 1, it was reported tonight by the Internal Revenue Bureau.

The bureau announced that receipts from the tax in November aggregated $10,411,197, compared with $6,812,275 in October and $7,124,225 in November, 1940.

For the first 11 months of the year, the report showed, admission tax collections reached $76,407,121, compared with $36,829,403 for the corresponding period last year.

The bureau's special report for the Third New York (Broadway) District showed collections of $2,600,82 against $1,497,707 in November, 1940. Collections at the box-office were $2,502,018 compared with $1,419,524, it was stated, and $9,875 was collected on tickets sold by brokers against $10,154; $70 on tickets sold by proprietors in excess of the established price, against $1; $174 on permanent use or lease of boxes and seats, against $63; and $88,692 from admissions to roof gardens and cabarets against $67,965.

Rites for John Shipman

PHILADELPHIA Dec. 22.—Funeral services were held yesterday in Pittsburgh for John E. Shipman, 69, of the maintenance and repair department of the Warner theatre circuit here, who died last Tuesday. He was the father of J. Ellis Shipman, executive of the Warner circuit here. Other survivors are his wife, a daughter, a sister and a brother.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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STAGE
LOEW'S THE
PRESEN
NOW SH



MICKEY ROONEY • JUDY GARLAND in "BABES ON BROADWAY" with Fay Bainter • Virginia Weidler • Ray McDonald • Richard Quine • Donald Meek • Alexander Woollcott • Screen Play by Fred Finklehoffe and Elaine Ryan • Original Story by Fred Finklehoffe • Directed by BUSBY BERKELEY • Produced by ARTHUR FREED • An M-G-M Picture

"Ushers! Get out the tape for Mickey Rooney, Judy Garland in M-G-M's 'Babes On Broadway'!"

Here is a picture in the best traditions of show business which has just about everything needed to bring crowds to the theatre and joy to the hearts of patrons of all ages, and to the exhibitor.
—*M. P. HERALD*

One of the most palatable and substantial entertainments ever to find its way into celluloid. Talent and versatility are apparently boundless, and in this toe-tickling, heart-warming musical, are employed to their best possible advantage. There are enough breath-taking highlights in the film to have assured successful reception for three motion pictures. —*BOXOFFICE*

Entertainment-laden money show. A showman's natural and can't miss being a big money picture. —*EXHIBITOR*

Great show; sock entertainment. As great a job as has ever been put into one picture. Any ticket buyer will go out raving. A whale of a box-office attraction with Mickey Rooney, the nation's top male draw, and Judy Garland, heading the cast and doing the best jobs of their careers. The answer to every exhibitor's prayer. Boys and girls, it's a show, and what a show!
—*HOLLYWOOD REPORTER*

Just about everything the average movie fan could desire. Place "Babes On Broadway" right on top . . . the best Rooney-Garland co-starrer to date. Head and shoulders above all other recent musicals. Bound to be a hit with any audience, will shoot box-office grosses upward in every situation.
—*SHOWMEN'S TRADE REVIEW*

Should do as well as its predecessors, "Strike Up The Band" and "Babes In Arms," at the box-office—which was very good.
—*VARIETY (Weekly)*

In exploiting this attraction, showmen are warranted in going the limit. The picture contains 15 musical numbers, among them some of the best they've ever seen. Busby Berkeley, director, has seen to it that all of his past experience in the field of dance direction is reflected in the enterprise . . . Audience shrieked their delight. —*M. P. DAILY*

Will be a box-office smash of the season. One of the most refreshing and enjoyable musicals to ever grace the screen. It has everything, and exhibs. can prepare for holdovers and top grosses.
—*FILM DAILY*

An avalanche of sure fire entertainment, paced by the certified box-office names of Mickey Rooney and Judy Garland. It has everything with which to mop up—youthful zest, heart-tug, infectious rhythm, constant amusement and excitement, stirring performances, substantial story interest, captivating music and lavish production. —*DAILY VARIETY*

400 HAPPY NEW YEAR DATES LAUNCH 1942's FIRST TRIUMPH!

Dietz Hits Critics Of Hollywood in 'Liberty' Article

"The movies didn't just happen. They are the result of hard work, inspiration, and the good judgment of able men."

So writes Howard Dietz, director of advertising and publicity of Metro-Goldwyn-Mayer, in the Jan. 3 issue of *Liberty* magazine.

Dietz takes to task those who criticize Hollywood. He expresses his views partly as follows:

U. S. Films 'Best in World'

"Over the years the Hollywood movies have become the best in the world, capturing the market wherever they were shown. Despite barriers of language, more than 73 per cent of the seating capacity outside the United States is devoted to American films. . . . .

"Somehow, some way, it becomes clear to those who care that the men who make the movies have more sense than those who take them to task. The movies are here to stay and they got that way because this criticized leadership had investment courage in the pioneer stage and enough vision to share this leadership with the growing talent.

"They believed in the movies, risked their security for the movies, and stuck to their job with the tenacity of a sourdough in the days of the gold rush. . . . .

"The radio, faced with no alternative, had to derive its revenue from commercials. It is significant, however, that the criticized leadership of the movies, despite the most bewildering temptation, have refrained from using the screen as an advertising medium. Millions of dollars by commercial products have been offered as bait, but the producers refused to violate the amateur standing of the screen. This in itself has kept open every avenue of progress for the future of the cinema.

'Sordid Accusations'

"Had they been greedy they would have fallen for this seemingly easy money, especially those companies which were on their last legs. This adherence to a principle gives the lie to many sordid accusations that have been thrown around when the linen was washed in public. The movie magnates, whatever their frailties and admitted mistakes, have been doing what they thought was for the best interests of the vast personnel involved and for the success of the screen itself. . . .

"Why should every other art form be judged by its exceptions and the movies only by the run of the mill?

"When Dickens was a current best seller an awful lot of authors wrote books that no one bothered to remember.

"And a lot of canvasses were daubed while a Rembrandt was painting 'The Night Watch.'

"And a lot of turkeys were produced the same year that Ibsen wrote 'The Wild Duck.'"

Fire Damages House

BATH, N. Y., Dec. 22.—Damage estimated at more than $1,000 was caused by fire that broke out in the Babcock Theatre here.

Review

"King's Row"

(Warners)

Hollywood, Dec. 22

SCENE of this picture is a small American city, the period is 1890-1910, and the story told with intensity and power is that of the town and its people, many of whom are counterparts of people in every community and many of whom are psychopathic cases, neurotics and emotionalists of one kind or another.

Under impressive direction by Sam Wood a large cast delivers an assortment of performances which combine to produce an over-all effect of extraordinary realism. The screenplay by Casey Robinson, from a novel by Henry Bellaman, gives each player plenty of opportunity in the course of a long and detailed accounting for what goes on in every department of a many-sided narrative. David Lewis, associate producer, distinguished himself in the handling of a subject which offered more problems than most.

Robert Cummings, Ronald Reagan, Ann Sheridan, Betty Field, Charles Coburn, Claude Rains, Judith Anderson, Nancy Coleman, Kaaren Verne, Maria Ouspenskaya, Harry Davenport and Ernest Cossart are the principals in the adult cast. Ann Todd, Scotty Beckett, Douglas Croft and Mary Thomas are excellent juveniles enacting the early portions of the film.

It is a somber story, 125 minutes in the screen telling, and it deals with the morbid, the psychiatric and the fanatic as casually as most melodramas deal with such items as the mortgage on the homestead and the uprising of the Indians. One character is a sadistic surgeon, described as such in the dialogue, who goes about town using his scalpel as an instrument of moral discipline—this includes amputating the legs of a young man whose attentions to his daughter he objects to. Another is a girl kept indoors by her father, who kept her mother indoors for years before her death, until he becomes convinced of her insanity, whereupon he kills her and commits suicide.

It is the stories of these, and of those whose lives they and their doings distort, that make up the master-narrative. So powerfully are these elements stressed that some illicit love affairs conducted by some of the characters are made to seem no more than incidentally important.

There is nothing in the picture for children and there is much in it that is not for them.

The picture is not to be classified as "escapist" save in the sense that it provides a means of escape from real troubles to some unreal ones that are more sordid and terrible than most individuals have the misfortune to meet in their daily lives. It is a magnificent job of production, technologically and by all the accepted rules of professionalism, and it is a theatre experience to be remembered, but it is a deadly earnest business making no gesture whatever toward imparting joy to the customers.

Running time, 125 minutes. "A."* ROSCOE WILLIAMS

**"A" denotes adult classification.*

Legion Approves Thirteen New Films

The National Legion of Decency has approved 13 of 14 pictures reviewed this week, eight for general patronage and five for adults, while one, "Two-Faced Woman" was reclassified from "Condemned" to "Objectionable in Part." The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Babes on Broadway," "Borrowed Hero," "Corsican Brothers," "Land of the Open Range," "Lone Star Law Men," "Red River Valley," "Remember the Day," "The Vanishing Virginian." Class A-2, Unobjectionable for Adults—"All-American Co-Ed," "Among the Living," "Ball of Fire," "Blue, White and Perfect," "No Hands on the Clock."

Plan Gifts for Soldiers

CINCINNATI, Dec. 22.—The Cinema Club of Cincinnati is making arrangements to provide local boys in the service with cigarettes, razor blades and similar commodities, with funds supplied from the club's treasury. When such funds are not adequate for the purpose, money-raising affairs will be staged to maintain the contributions.

Gary Cooper Gets Gehrig Role in Film

Gary Cooper has been selected by Samuel Goldwyn to play the role of Lou Gehrig in the forthcoming picture based on the life of the late ball player, it was announced in Hollywood yesterday.

Sam Wood, who will direct the Goldwyn film, arrived from the Coast yesterday to spend the holidays with his daughter, K. T. Stevens, stage actress, following which he will return to the Coast to start work on the Gehrig picture.

CHICAGO, Dec. 22.—While here, en route to New York, Sam Wood said he favored Gary Cooper and Zorina for the leads in "For Whom the Bell Tolls," which he will direct for Paramount after completing the Gehrig picture for Goldwyn. An "official" choice of players has not been made yet, he said.

Laraine Day in 'Fingers'

HOLLYWOOD, Dec. 22.—Laraine Day has been set opposite Lew Ayres in M-G-M's "Fingers at the Window," which Charles Lederer will direct.

Studios Keep Pace Despite War's Crisis

HOLLYWOOD, Dec. 22.—War or no, the business of making pictures for the nation's entertainment continued apace this week, as 11 pictures started, 10 finished to make a total of 49 before the cameras. Twenty-one are in the final stages of preparation, and 72 are being edited.

M-G-M continues to be the busiest studio, with nine in work; Paramount is second, with eight.

The tally by studio:

Columbia

In Work: "Canal Zone," "Trinidad," "Blondie's Blessed Event" (formerly "Blondie Greets a Guest").

Korda (U. A.)

In Work: "To Be or Not to Be."

M-G-M

Finished: "Out of the Past."

In Work: "Along Came . . . Murder," "The Courtship of Andy Hardy," "Tortilla Flat," "This Time for Keeps," "Rio Rita," "Mrs. Miniver," "I Married An Angel," "Ship Ahoy" (formerly "I'll Take Manila").

Started: "Tarzan Against the World."

Monogram

In Work: "Below the Border," "Western Mail" (formerly "Frontier Law").

Started: "Law of the Jungle."

Producers Releasing

Finished: "Broadway Big Shot."

Started: "Girls Town," "Billy the Kid Trapped."

Paramount

In Work: "Palm Beach Story," "Take a Letter, Darling," "Holiday Inn," "Mr. and Mrs. Cugat," "My Favorite Blonde," "American Empire," "Out of the Frying Pan," "This Gun for Hire."

RKO

Finished: "Lum and Abner No. 2," "The Mayor of 44th Street."

In Work: "Powder Town," "The Tuttles of Tahiti," "The Magnificent Ambersons."

Started: "My Favorite Spy."

Republic

Finished: "Riders of the Sunset Trail," "A Tragedy at Midnight" (formerly "X Marks the Spot").

Started: "Sleepytime Gal," "South of Santa Fe."

Roach (U. A.)

In Work: "Cubana," "About Face."

20th Century-Fox

Finished: "Not for Children."

In Work: "This Above All," "Rings on Her Fingers," "Tales of Manhattan," "To the Shores of Tripoli," "The Night Before the Divorce," "Moontide."

Universal

Finished: "You're Telling Me."

In Work: "Drums of the Congo," "The Mystery of Marie Roget."

Started: "The Ghost of Frankenstein," "Saboteur."

Warners

Finished: "Juke Girl," "Arsenic and Old Lace."

In Work: "Yankee Doodle Dandy," "In This Our Life," "Larceny, Inc."

Leaves Ontario Post

TORONTO, Dec. 22.—After serving for more than 15 years, A. H. Gray has resigned as inspector of theatres for the Ontario Government.

Procedure of L.A. Houses in War Outlined

(Continued from page 1)

among all personnel; that at least two of the theatre's personnel, including the manager, take a course in first aid; that at least one manager serve on the defense council in each area, where such council exists; a set method for extinguishing lights during blackout; installation of emergency lights; staff instruction on alarms and signals, in addition to rules and regulations; never to permit theatre to remain in operation without proper and responsible manpower; that the staff should be cheerful, courteous and thoughtful; emergency lighting switches should be painted white and encircled in red; more frequent box-office drains with a minimum of change funds; check with Red Cross on first-aid requirements; check all exits before opening; check all ceiling suspensions such as chandeliers.

Refuge for Public

Also, that theatres admit the public in the event of an attack; that impromptu entertainment be prepared in the event that the power is interrupted; that only cheerful program material be used for children's matinees; that no mention of armed forces' activity be made; that the national anthem be played at least once during each complete performance; that theatres be made available for morning classes of the Red Cross or similar organizations; that an efficient "page" system be installed; that theatremen consider making vacant store space available to government and defense organization; that managers request patrons to remain seated during troop movement or such, to avoid traffic congestion; that the American flag and national colors be displayed properly; care in handling film and elimination of fire hazards.

"In summation," it was said: "Instruct your staffs constantly in every phase of your operation until doing the right thing becomes habitual; remain calm and employ sound, common sense at all times. Make your theatre a respected leader in doing right thing at right time. You therefore will make an important and vital contribution to the national effort."

B. V. Sturdivant is director of the Theatre Defense Bureau. The following are councilmen: Tom W. Baily, L. E. Behymer, Benjamin Decker, Maurice M. Cohen, Sherrill C. Cohen, Marco Wolff, Louis J. Halper, Charles Prickett, Nat Holt, Clayton T. Lynch, Rodney A. Pantages, S. D. Perkins, Robert H. Poole, Charles P. Skouras and Gene Towne.

Managers at Meeting

Los Angeles theatre managers today attended a meeting of the Theatre Defense Bureau which was addressed by Fire Department battalion chiefs assigned to instruct them by Fire Chief John Alderson in cooperation with the bureau director.

Instruction in dealing with incendiary bombs and other possible air raid effects was given. Theatres were grouped by zones of six houses each with the manager of one in charge of drills.

Larger theatres employing large staffs will be organized separately under the same setup. The defense bureau will function along with the Fire Department in event of emergency.

Reviews

"The Man Who Came to Dinner"

(*Warners*)

Hollywood, Dec. 22

THE Warner workmen herewith hand to the motion picture exhibitor virtually unchanged the George S. Kaufman-Moss Hart comedy which the legitimate theatre has presented with notable commercial success in most of the nation's larger cities. It would seem to follow that the film can be depended upon to produce a comparable inflow of dollars when presented in the cinemas of those centers. Whether the fame of the stage play in the cities may have carried over into the towns in sufficient force to guarantee a readiness for it there is a matter of conjecture.

On the screen as on the stage, the comedy abounds in sophistication, the cast in sophisticates and the humor in expressions, connotations and references comprehensible and amusing to the aware and informed but sometimes meaningless to the casual and slow of wit. In retaining most of the original dialogue, with only such modification as screen purposes demand, the craftsmen in charge of the enterprise have retained also the form and largely the manner of the stage. To those who go to the theatre expectant of seeing a stage play, doubtless this will be a source of satisfaction, while those who go to see movement and the orthodox processes of screencraft may find it something else.

Bette Davis, Ann Sheridan, Billie Burke, Jimmy Durante, Reginald Gardiner, Grant Mitchell, Laura Hope Crews and many other film names are at hand for marquee use. Monty Woolly, who starred in the stage version, plays the name role in the picture, supplying a commanding performance and a billing-name with significance for the stage-conscious. A Beverly Hills, Calif., audience indicated by frequent and unrestrained laughter its approval of the picture.

Jack Saper and Jerry Wald were associates to Executive Producer Hal B. Wallis and William Keighley directed from a screenplay by Julius J. and Philip G. Epstein, all parties concentrating on retaining in all possible essentials the characteristics of the stage play.

The comedy is not pointed at children, its humor is for the most part beyond their years, and some of its lines are unconditioned to the juvenile ear.

Running time, 150 minutes. "A."* ROSCOE WILLIAMS

*"A" denotes adult classification.

"Dangerously They Live"

(*Warners*)

Hollywood, Dec. 22

A NEW twist to the espionage and counter-espionage story is given Warners' "Dangerously They Live," an excitingly told and well done melodrama. The refreshingly effective story has a band of Nazi agents in New York kidnap a girl operative of the British Intelligence who pretends to have amnesia in an effort to foil their attempts to gain information concerning a convoy rendezvous. Aiding her is a young psychiatrist who is used at first as an innocent dupe of the Nazis but who later is convinced of the girl's story concerning their danger and joins her cause.

The picture ends with the bombing by British planes of the German submarines which have been given false information by their aides in the United States. John Garfield as the young doctor, Nancy Coleman as the girl operative and Raymond Massey, as the head of the spies, head a long cast. Miss Coleman, in her largest role to date, delivers exceptionally well.

The original screenplay by Marion Parsonnet and the direction by Robert Florey maintain suspense throughout to achieve as excellent climax. Ben Stoloff was associate producer.

Running time, 78 minutes. "G."* VANCE KING

*"G" denotes general classification.

Reopen Bayside Theatre

The Bayside, Bayside, L. I., formerly operated by the Brandt circuit, has been reopened by No. 30 Theatre, Inc., and is being operated under the supervision of Skouras Theatre Corp.

3 Firms Chartered; Two Are Dissolved

ALBANY, Dec. 22.—Three companies have been chartered here, and two have been dissolved. The new firms are: Pan-Am Newsreel Corp., by Ralph Bosch, Nicholas H. Ruiz and Albert V. Testa; Colonial Productions, Inc., by H. L. Crantz, Frances Carrier and Emmett Jones, and Troob-Blumenthal, Inc., by LeRoy Blumenthal, Emanuel H. Rand and Lester Troob.

Those dissolved are: Unicon Tickets and R. W. Productions.

Daylight Time Move Seen as Film Problem

(Continued from page 1)

when he was advised that the subject matter was outside the scope of the Governor's special session proclamation.

May Offset Loss

Although exhibitors previously have opposed daylight time as an adverse influence on the box-office, it was pointed out by observers that in areas requiring blackouts, longer daylight hours may offset the loss of business attendant upon total darkness during evening hours. Also, these observers said, additional daylight may be an inducement to stay outdoors during Summer months but in cold, wintry weather there will be little tendency to stay out of doors whether there is daylight or not. In England, theatres have been compelled to close down early in the evenings because travel is difficult in blacked-out streets. Daylight time, on the other hand, may offer exhibitors additional operating time if blackouts become necessary, it was observed.

Opposition to daylight time centers around the fact that it is not yet definite whether blackouts will be necessary as a daily precaution, and it was felt by some spokesmen, therefore, adoption at this time of a daylight saving measure may be premature.

Would Not Affect Radio

Radio listening falls off sharply during Summer months, as far as home study surveys have been able to determine, but among many radio executives, too, it is felt that additional daylight will not affect listening during Winter months. Radio, of course, has a special problem and the industry long has advocated a Congressional bill which would fix the time on a national basis, either with or without daylight saving. Time zones offer a constant problem to network programs but local or sectional daylight time areas complicate the problem to extreme proportions.

Prepare Plans for Sign Blackout in Pa.

PHILADELPHIA, Dec. 22.—The Pennsylvania State Council of Defense has approved a plan for immediate blackouts of all outdoor illuminated signs in the state in case of an air raid. The proposal, submitted by the Outdoor Advertising Association of Pennsylvania, calls for each large lighted sign to be equipped with a convenient cut-out switch so placed that it is conspicuous and accessible.

Directions for blacking out the sign are to be posted so that clear instructions are easily available. Signs which cannot be so controlled will be turned off for the duration of the emergency.

Para. Choristers to Sing

The Paramount Choral Society, consisting of 54 Paramount home office employes, will give a concert of Christmas carols in Grand Central Terminal from 5 to 6 P. M. tomorrow.

The DEVIL PAYS OFF

J. EDWARD BROMBERG
OSA MASSEN
WILLIAM WRIGHT
MARGARET TALLICHET
ABNER BIBERMAN

JOHN H. AUER—*Director*

Screen play by Lawrence Kimble and Malcolm Stuart Boylan
Original story by George Worthing Yates and Julian Zimet



A Republic PICTURE

Buy U. S. Defense Bonds

English Production Is Going Full Blast, Goldsmith Declares

Production in England is running "full blast" and studio space is at a premium, Isador Goldsmith, independent British producer, who arrived here recently, stated yesterday.

There are seven pictures now in production in addition to production activities at studios which the Government has taken over, he said. American companies are engaged in considerable production in London, he said.

Large Risk Eliminated

One of the principal difficulties, that of risk to investments in the event a studio or performer was injured as a result of war activity, has been eliminated by the Government's issuance of indemnity insurance, which Goldsmith said, has been one of the main stimulants to production. But there is still a considerable shortage of technical help and talent, he added.

The Government grants leaves when technical men are required for production but despite every desire to cooperate, there is still a great deal of difficulty, he pointed out. Leaves are granted for specific productions rather than for certain periods of time. In the case of talent, Goldsmith reported, similar arrangements have been made although many actors flatly refuse to leave their posts except for pictures requested by the Government, Goldsmith said. In the latter case, it is not uncommon for an actor to refuse payment for his services, according to Goldsmith.

Theatre Business Booms

Theatre business, especially in the Midlands and the North, has never been better, he declared, pointing out that many workers have money which because of restrictions and rationing cannot be spent except for such items as motion pictures.

Goldsmith has completed "Hatter's Castle" for Paramount and a print is now en route here. In May, Goldsmith said, he plans to produce A. J. Cronin's "Grand Canary," for C. M. Woolf, with distribution by General Film Distributors in England. U. S. distribution on the film has not been set. He expects to spend six to eight weeks additional here and plans to see Cronin in Hollywood. Goldsmith left last night for the Coast.

Loew's, Inc., Plans $18,000,000 Funding

(*Continued from page* 1)

200 $6.50 no par preferred. The debentures are callable at 102½ up to Feb. 15, 1942, and at 102 up to Feb. 15, 1943. The preferred is callable at 105.

The negotiations have not yet been concluded but it is believed they may be finalized today.

It is believed that part of the company's refunding plan also calls for Loew's calling part of the issues involved from the firm's cash surplus, said to amount to about $30,000,000.

Loew's negotiations are being directed by David Bernstein, vice-president and treasurer.

Kirsch Urges Patron Drive; Conn. Unit Opposes Decree

(*Continued from page* 1)

sent decree retained all of the evils of the old block booking system without offering any relief; that shorts and newsreels were forced upon the independent exhibitor, together with the forcing of prior blocks of pictures as a condition precedent to the purchasing of subsequent blocks; that under the consent decree no provision has been made for any cancellation privilege, whereas under the old system, many contracts contained a cancellation privilege of anywhere from 10 to 20 per cent."

The exhibitors, according to the letter, suggest that an "alternative plan be evolved whereby we return to the old block buying, which should carry with it a reasoable cancellation privilege on all groups of pictures without any strings attached, and the elimination of the forcing of shorts and newsreels."

The Allied unit will meet next Monday at the Hof Brau Haus here, with Dr. J. B. Fishman presiding.

(*Continued from page* 1)

amusement and recreational pursuits and spend too much time at the radio listening to somber accounts of the war," Kirsch's letter states.

Urges Aid Solicitation

"It seems to me," he continues, "that the committee as a preliminary step might enlist the aid of public officials and prominent personages in urging the people to continue their usual pastimes and diversions. All thoughtful persons recognize the need for respite from the strain and anxiety of war. Why not solicit statements along this line from the President, governors, mayors, famous athletes and others in the public eye?"

"The chairman of the subcommittee," Kirsch concludes, "can apportion the work among the committee members and see that the results are duly publicized. Let's not wait for the next meeting. Let's get in our licks while they are most needed."

See Mono. Profit at $250,000 for Year; 34 Films Scheduled

(*Continued from page* 1)

gram shows a profit, before taxes, of $101,000, Broidy said. Sales this season to date are in excess of total sales for the entire preceding season, he reported.

Monogram plans to produce four features of a higher budget class than the company ever before has scheduled, will increase budgets on several pictures now listed and may add a new series of Westerns to its release schedule, Broidy told the franchise holders.

Plans were discussed at the meeting for special handling to be given the John Boles picture, "Road to Happiness."

Speakers at the meeting, in addition to Broidy, included Trem Carr, production head; George Weeks, producer; Alton Brody, West Coast representative for De Luxe Laboratory and a member of the Monogram board of directors, and Lloyd Lind, assistant sales manager.

Oliver Unger Gets New Hoffberg Pact

J. H. Hoffberg, president of Hoffberg Productions, Inc., has signed Oliver A. Unger, sales manager, to a five-year contract as vice-president in charge of sales. Unger also was elected to the board of directors, with Edward Souhami, who was named secretary.

Denies Dismissal of Ill. Clearance Case

CHICAGO, Dec. 22.—A motion to dismiss the clearance complaint of the Don Theatre, Downers Grove, Ill., was denied by Thomas C. McConnell, arbitrator, following the start of hearings on the case here today. The hearing is to be resumed Dec. 29.

'Time' Sues to Enjoin M-G-M Film on War

(*Continued from page* 1)

by the National Film Board of Canada.

The application was in connection with a copyright infringement suit in which March of Time alleged that the film was copied in part from material in five "Time" reels made between 1937 and 1940. Loew's-M-G-M is distributing the film, which was scheduled to open tomorrow at the Capitol on Broadway. Moredall Realty Corp., a Loew's subsidiary which operates the Capitol, was made a party to the action.

Louis de Rochemont, producer of March of Time, in a statement said that the film uses scenes recently taken by its cameramen in the Far East. Since the same scenes are in a special March of Time release, "Battlefields of the Pacific", new being released by RKO, "we have no choice but to seek an injunction," the statement said.

March of Time, during the past three years, has given the National Film Board of Canada scenes from its films for Canadian government defense pictures, with the understanding, according to de Rochemont, that such pictures were for exclusive Canadian distribution or for the Government war archives.

Museum Shows Films For Civilian Safety

Twelve British-made films on "Safety for the Citizen" themes, dealing with air raid and other wartime precautions, will be shown daily by the Museum of Modern Art. The showings, which started yesterday, consist of six subjects each and will be shown alternately at 3:00 P. M. daily, except Sundays.

The facilities of the museum will be made available to the public in the event of air raid alarms, it was announced. Douglas L. Baxter, former art director and chief of research for 20th Century-Fox, is in charge of the museum's air raid precautionary program.

Three Skouras Bros. Given New Contracts As Circuit Operators

(*Continued from page* 1)

operators there. They sold out to Warner Bros., and Spyros and Charles became general managers of the Warner circuit. In 1930 they severed connections with Warners and affiliated with Paramount. Later they took over Fox Metropolitan Playhouses in New York.

For a number of years Spyros and Charles Skouras have operated the National Theatres circuit, comprising the Fox West Coast, Fox Inter-Mountain, Fox Midwest, Wisconsin Amusement Enterprises and Evergreen State Amusement Enterprises divisions and Fox Michigan Corp.

Spyros Skouras is president of National Theatres. Charles Skouras is in charge of the Fox West Coast group.

George Skouras is president of Skouras Theatres Corp., which is not affiliated with National Theatres.

B'way Theatres Regain Strength

(*Continued from page* 1)

was renewed after a sudden decline for the same war reasons. The temperature on Sunday was lower than on Saturday but proved no great deterrent to theatre business, and yesterday the weather was slightly milder.

"H. M. Pulham, Esq." grossed an estimated $62,000 at the Radio City Music Hall Thursday through Sunday, with the stage presentation. At the Paramount, "Birth of the Blues" with Orrin Tucker's orchestra brought an estimated $19,000 Saturday and Sunday and finishes its second week tonight with an estimated $38,000 expected.

Business at the Strand, where "Blues in the Night" with Count Basie's orchestra is now in its second week, amounted to an estimated $14,000, Thursday through Sunday. The Roxy rang up an estimated $23,800 with "Confirm or Deny" and a stage show, Thursday through Sunday. The show is in its opening week.

"How Green Was My Valley," in its eighth week at the Rivoli, drew an estimated $9,000, Friday through Sunday.

Van Wagner Named Comptroller of RKO

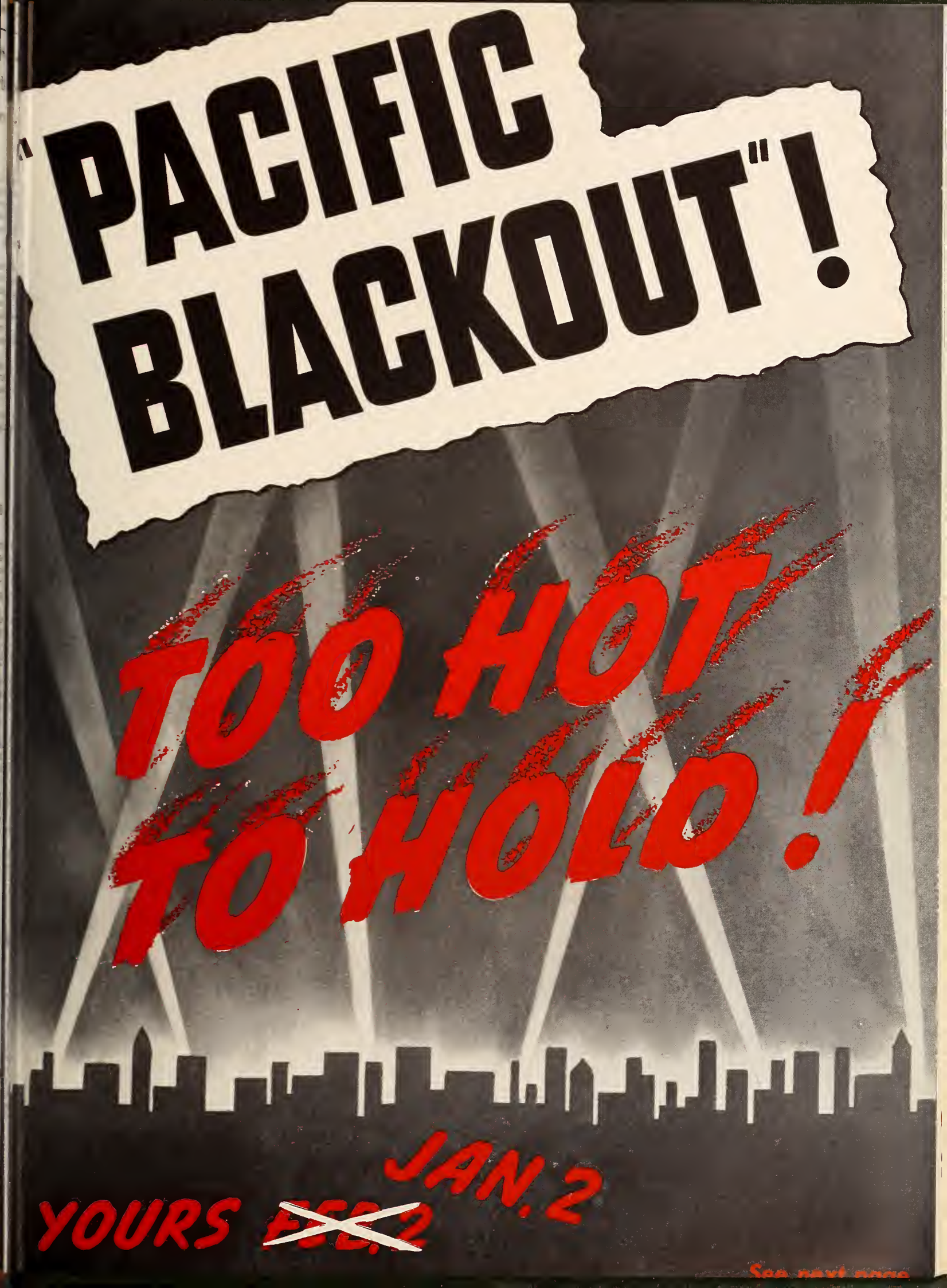
(*Continued from page* 1)

mendation of the management that all accounting and auditing activities of the organization be unified under the supervision of one official, who would become comptroller of the parent company and its subsidiairies.

Van Wagner has been associated with RKO for almost 10 years, having been on the staff of the Irving Trust Co. as trustee of RKO from 1932 to 1940. Subsequently, he was elected assistant treasurer and assistant to the president.

Buy Two Minn. Houses

MINNEAPOLIS, Dec. 22. — The Lake and State Theatres at Detroit Lakes, Minn., have been purchased by William Elson and Gilbert Nathanson, from Andrew and Herbert Anderson.



See next page

RELEASED TO YOU ~~FEB. 2~~ JAN. 2

A PICTURE AS T



TENSE MOMENTS...as word comes through that unidentified planes have been sighted...as the "Alert" sounds...as lights of the city flare out one by one!



HUN



ALARM...as raid officials track a saboteur throu black streets — as hand-to-hand fighting and gunfire shatter the darkness!

"PACIFIC BLACKO

Paramount Picture

MARTHA O'DRISCOLL · Philip Merivale

NELY AS TODAY'S RADIO FLASHES!



enemy agents and police alike...one man
s vital defense secrets...and must reach
uthorities with them before dawn!

Blackout on the Pacific Coast...terror and sabotage as a great Western city is plunged into darkness at the sound of the Alert . . . plot and counterplot of enemy agents taking advantage of the confusion of panic!

That's the background of Paramount's **"PACIFIC BLACKOUT"**— the film Paramount is rushing to you ahead of release, as a showmanship natural! It's yours January 2; see next page for details!

UT" A PARAMOUNT PICTURE with **ROBERT PRESTON**

Eva Gabor •

Directed by Ralph Murphy • Screen Play by Lester Cole and W. P. Lipscomb • Based on a story by Franz Spencer and Curt Siodmak

Paramount Pictures

PLAY IT WHILE IT'S HOT!

Paramount filmed "PACIFIC BLACKOUT" under the title "MIDNIGHT ANGEL." It was originally set for February 2nd release, as a part of Paramount's third block.

It was intended to use title "PACIFIC BLACKOUT" while the picture was in script form. We eliminated this title, however, because we felt it might be too alarming.

TODAY ALARM IS FACT. Blackout came to the Pacific Coast only a few days after the completion of the picture. "PACIFIC BLACKOUT," therefore, comes to you one of the most timely pictures ever made.

PLAY "PACIFIC BLACKOUT" WHILE IT IS HOT. We realize the TIME LOST in negotiating for this hot box office shot WILL COST DOLLARS so we have decided that ANY PARAMOUNT CUSTOMER MAY BUY THIS PICTURE NOW and play it JANUARY 2nd. Terms will be settled when the third block of pictures is negotiated for. For those exhibitors who are not at present Paramount customers, the picture is IMMEDIATELY AVAILABLE FOR SALE and CAN BE PLAYED JAN. 2nd.

Read what the trade critics said BEFORE war made the story true!

"OUGHT TO DO GOOD BUSINESS WHEREVER IT PLAYS . . . swiftly-paced, suspenseful melodrama . . . an exciting screen play made out of the blackout!" —*Daily Variety*

"CLICKS SOLIDLY . . . admirably paced melodrama played against an American blackout . . . successful and entertaining!" —*Film Daily*

"SOLID ENTERTAINMENT THAT'LL PAY A HEALTHY PROFIT . . . when Seattle staged a practice blackout it gave Hollywood a swell idea for a tensely exciting adventure movie!" —*Hollywood Reporter*

Actor Can Collect On Promise of Screen Test, Court Decides

Refusal by a film company to give a screen test to an actor under contract for that purpose makes the company liable for damages, the appellate term of the New York Supreme Court ruled yesterday in upholding a $1,500 judgment obtained against Loew's by Conrad Noles, actor.

The ruling affirmed a decision by New York City Court Justice Frank A. Carlin, who had granted the judgment against the company in a test suit brought by the actor.

The appellate term handed down no opinion but based its decision on one by Justice Carlin. The City Court ruling was to the effect that Loew's was obligated to give the screen test, although it was not obligated under the agreement with Noles to grant the latter a contract after the test.

Because Noles was prevented under the terms of the agreement from seeking employment elsewhere, the court had said, the argument that Loew's was in no event obligated to give anything but a screen test was not available to the defendant. The plaintiff had claimed in trial that he had been prevented from obtaining other employment for a period of 10 weeks from March, 1939, the date of the contract. According to Cecil A. Citron, attorney for Noles, this is the first decision on the question.

Ask Court Review of Opera on Tour Writ

WASHINGTON, Dec. 22.—Reconsideration of the Supreme Court's decision that no Federal question was involved in the granting of an injunction by the New York Court of Appeals to Opera On Tour, Inc., prohibiting the IATSE from interfering with the use of mechanical music, has been asked by the union.

A petition for rehearing has been filed with the court. It seeks a determination whether or not the injunction interferes with the right of free speech and freedom of assembly guaranteed by the 14th amendment to the Constitution.

Opera On Tour produced the opera "Faust," in which recorded music was employed as accompaniment for live talent singers. The IATSE called a strike of the stagehands under a reciprocal agreement with the American Federation of Musicians which had protested against the elimination of musicians. The injunction was subsequently granted and affirmed on appeal by the New York high court. In November, the U. S. Supreme Court refused to review the case on the ground that no Federal question was involved.

Lewis Is Elected an RCA Vice-President

Edward E. Lewis has been elected vice-president of the RCA Manufacturing Co., directing the activities of the company's finance and accounts division. The assignment will relieve F. H. Corregan, vice-president and secretary, for general executive work. Most recently Lewis has been director of priorities for the company.

Off the Antenna

BMI licenses are now held by a total of 792 stations, according to Carl Haverlin, BMI station relations director. Of these, 756 are commercial stations and 36 non-commercial. Haverlin declared that with the endorsement received last Friday from the Pennsylvania State Broadcasters Association, there is now 100 per cent approval for the long-term BMI contract which begins March 12, 1942, and runs for eight years to March 12, 1950. The expiration date, Haverlin noted, is about two and a half months beyond the date when the present Ascap contract with the broadcasters expires.

• • •

Program News: *"Lux Radio Theatre," which has been on CBS since 1935, yesterday was renewed for an additional year by Lever Bros. over 68 stations. . . . Simon Ackerman Clothes signed to sponsor John B. Kennedy's new Sunday half-hour period, 6-6:30 P.M., over WNEW for a full year. . . . Sealtest has renewed the Rudy Vallee show for 53 weeks over 75 NBC-Red stations. . . . E. H. Squibb has renewed Frank Parker for an additional year. Parker is heard over 49 CBS stations, Monday, Wednesday and Friday, 6:30-6:45 P.M. . . . RCA has renewed for an additional year George Putnam's newscasts Sunday through Wednesday, 11-11:15 P.M., over WEAF, and "Music You Want" over the same station Monday through Friday 11:15-11:30 P.M. . . . "Vic and Sade," Monday through Friday serial sponsored by Procter & Gamble, returns to CBS Dec. 29.*

• • •

Instead of the customary "WOV, Fifth Avenue," which has been the telephone salutation at that station for some months, the operator now responds with "WOV—for Victory."

• • •

War Notes: A plan for continued broadcasting during air raids has been suggested in radio circles whereby, upon signal, all stations in the danger area will switch to the same frequency and use the same program. With the same frequency, wavelengths will not offer any guide to enemy bombers and stations will be able to maintain morale and transmit vital information. . . . W53PH, the WFIL FM station in Philadelphia, has proposed that FM stations be used for air-raid warnings as telephone communications between AM stations and their transmitters may be disrupted during raids. . . . Jane Cowl, Eddie Dowling, Burns Mantle and Brock Pemberton will discuss "The Theatre and the War" over WINS Sunday at 1:30 P.M. . . . An Italian anti-Fascist rally at Cooper Union Saturday will be broadcast by WHOM Saturday 8:30-9 and 9:30-10 P.M. . . . WBYN has inaugurated news every half-hour on the 15 and 45-minute marks. . . . WHEC, Rochester, has decided to continue foreign language broadcasts, according to Gunnar O. Wiig, general manager.

• • •

WBOC, Salisbury, Md., *will join Mutual Thursday to become the network's 193rd affiliate. The station operates on 1,230 k.c. with 250 watts, unlimited time. . . . KGKO, Fort Worth, Tex., has notified NBC-Blue offices here that the station will begin operations with night power of 5,000 watts on Jan. 1.*

• • •

Mutual has started a group insurance plan which gives each employe of more than three months' standing free life insurance of $2,000 and permits those in higher salary brackets to purchase more at their own expense.

Review Board Selects 'Kane' as 'Best Film'

The National Board of Review of Motion Pictures, in its 16th annual selections, has chosen "Citizen Kane" as the best American film of the year, with "Pepe le Moko" as best foreign-language picture, and "Target for Tonight" as best documentary. "The Forgotten Village" was given honorable mention. The choices were made on "the basis of artistic merit and importance."

Other American films cited, in order of preference, were "How Green Was My Valley," "The Little Foxes," "The Stars Look Down," "Dumbo," "High Sierra," "Here Comes Mr. Jordan," "Tom, Dick and Harry," "The Road to Zanzibar" and "Lady Eve." Also cited among documentaries were "Ku Kan" and "The Land."

Wis. Houses Admit Service Men Free

MILWAUKEE, Dec. 22.—Exhibitors in various Wisconsin cities are admitting service men home for the holidays free of charge between Christmas and New Year. Men must be in uniform to take advantage of the offer and are required to pay the defense tax on the admission ticket.

Pa. Censor Passes Five Russian Films

PHILADELPHIA, Dec. 22.—Since the start of the war, the Pennsylvania censor has approved five Russian pictures, it was disclosed by Mrs. Edna R. Carroll, chairman of the censor board. The change in the board's attitude is significant in view of its stand against foreign propaganda pictures. A court action is still pending in Common Pleas Court here against the board, seeking an appeal on a ban on two Russian pictures submitted shortly after the outbreak of hostilities between Russia and Germany.

Two of the five pictures approved, "A Day in Soviet Russia" and "View of the Soviet World," are admittedly propaganda pictures. The other three are musicals. Mrs. Carroll explained that the two approved pictures are considered documentary films of the Russian armed forces. And since such forces are now battling a common foe, the pictures are classified as military propaganda. She said that such pictures would be approved, pointing out, however, that the board will not countenance any pictures that may be classified as Communistic propaganda.

FCC Program To Be Adjusted To Censorship

WASHINGTON, Dec. 22.—The work of the Federal Communications Commission will be fully accommodated to the new Government censorship requirements, FCC Chairman James L. Fly declared today.

A close liaison will be maintained by the FCC with the censorship set up under Byron Price, Fly said.

He expressed the belief that the radio industry has not felt any great fear of censorship, being aware for some time that it was inevitable. He refused to speculate as to what action the Commission could take in the event of censorship violations by a station.

Fly disclosed that he has been in communication with Price by letter, but that no personal meeting has been arranged. However, he said that the broadcasters will have some specific problems to deal with under censorship and he will discuss them with Price at an early date.

1,154 Features on WOR During Year

A total of 1,154 special feature broadcasts, including spot news, sports and national defense programs, were carried by WOR during 1941, according to the annual report of Dave Driscoll, director of special features and news, issued yesterday. An aggregate of 322 hours and 34 minutes was devoted to these programs.

W71NY, WOR's FM station, carried 471 special features during 224 hours and 29 minutes, the report stated.

Broken down by classifications, there were 164 features, given 74 hours 25 minutes; 111 national defense, 31 hours 48 minutes; 333 spot news, 48 hours 31 minutes; 116 political, 41 hours 31 minutes; 136 topical, 34 hours 43 minutes; 83 charitable, 25 hours 19 minutes; 104 sports, 48 hours 26 minutes, and 107 special features, 17 hours 51 minutes.

CBC Not Carrying U. S. War Bulletins

OTTAWA, Dec. 22.—Newscasts of war bulletins originating in the United States are not carried by the Canadian Broadcasting Corp. because they are not considered authentic enough, CBS officials stated today.

However, it is likely that Canadian listeners will be given these broadcasts when news services in the United States have been properly coordinated and become censorable, it was said.

Para. Reel Man in Hawaii

Joe Rucker, Paramount News cameraman, has arrived in Hawaii to cover the Eastern fighting front, Paramount disclosed yesterday. Rucker is believed by the company to be the first American newsreel cameraman to reach Hawaii from the United States since the beginning of the war.

Los Angeles Gross Shows Slight Pickup

LOS ANGELES, Dec. 22.—First run houses took a severe beating from wartime conditions, but managed to pick up a little as the initial shock of blackouts and threatened blackouts wore off.

Estimated receipts for the week ending Dec. 17:

"Rise and Shine" (20th-Fox)
"Cadet Girl" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $9,200. (Average: $12,000)
"All That Money Can Buy" (RKO)
4 Star—(900) (44c-55c) 7 days, 4th week. Gross: $3,800. (Average, $3,250)
"Citizen Kane" (RKO)
HAWAII—(1,100) (33c-44c-55c-75c) 7 days, 9th week. Gross: $2,900)
"Keep 'Em Flying" (Univ.)
"The Gay Falcon" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. "Flying" 2nd week. Gross: $7,500. (Average: $6,500)
"Rise and Shine" (20th-Fox)
"Cadet Girl" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $11,500. (Average: $14,000)
"Keep 'Em Flying" (Univ.)
"The Gay Falcon" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. "Flying" 3rd week. Gross: $6,300. Average: $7,000)
"New York Town" (Para.)
"Appointment for Love" (Univ.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. "Appointment" 2nd week. Gross: $11,000. (Average: $18,000)
"One Foot in Heaven" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,800. (Average: $14,000)
"One Foot in Heaven" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,200. (Average: $12,000)

Sacramento Houses Now Back to Normal

SACRAMENTO, Dec. 22.—After a week without a blackout, Sacramento theatres were reporting Christmas business back at normal. Heavy concentrations of entertainment-seeking troops at the local flying school is making up for a civilian dropoff, the managers said.

All the theatres are keeping their marquees lighted and have received no official notification otherwise, although the local Merchants' Association has announced all stores will stay dark after 5:30 P.M.

Nick Resigns from Union in St. Louis

ST. LOUIS, Dec. 22.—John P. Nick, once head of Local 143 of the operators' union here but now under Federal conviction for racketeering, has resigned his membership in the local following an ultimatum by the union to resign or stand trial for conduct unbecoming a member. Nick had been a member of the union 30 years. He is still a member of Local 6 of the stagehands.

Two Unions Close Deals with S. O. S.

The International Association of Machinists and the American Federation of Office Employes, have renewed their contracts with S.O.S. Cinema Supply Corp.

Continuation of the 100 per cent closed shop, wage increases of from 10 per cent to 20 per cent, holidays, sick leave and vacations, were all covered by the new agreement.

What'll We Do About Mikado?

St. Louis, Dec. 22.—Fanchon & Marco, operating the Mikado Theatre, de luxe neighborhood house, for the St. Louis Amusement Co., has decided to change the name of the theatre, and has enlisted the cooperation of patrons in the effort to find a new name.

'Swamp Water' at $8,700, Cincinnati

CINCINNATI, Dec. 22.—"Swamp Water" had a big $8,700 week at the RKO Shubert for the first week of temporary discontinuance of stage shows, and "Two-Faced Woman" grossed $5,300 on its second downtown week at the RKO Capitol.

Estimated receipts for the week ending Dec. 16-20:

"Design for Scandal" (M-G-M)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)
"Skylark" (Para.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $7,500. (Average, $10,000)
"Swamp Water" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $8,700. (Average, $5,000)
"Two-Faced Woman" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $5,500)
"Lydia" (U. A.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days. Gross: $2,800. (Average, $5,000)
"Keep 'Em Flying" (Univ.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $3,200. (Average, $4,500)
"The Kid from Kokomo" (Univ.)
"Public Enemies" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. $1,100. (Average, $1,200)
"Mob Town" (Univ.)
"Dude Cowboy" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $750. (Average, $800)
"Kathleen" (M-G-M)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,800. (Average, $5,000)

Name Award Group Among Film Editors

HOLLYWOOD, Dec. 22.—Members of the Film Editors Section of the Academy of Motion Picture Arts and Sciences have been appointed to a committee to consider the film editing award rules to be used to govern this year's award.

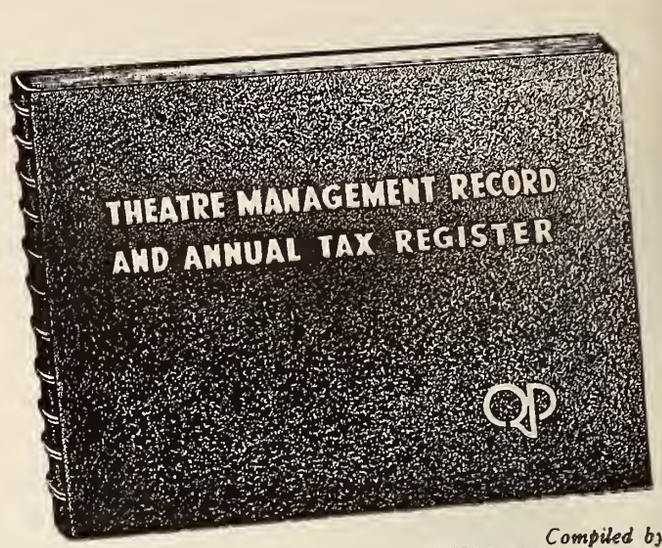
Membership of the committee includes: Anne Bauchens, William W. Hornbeck, Hal C. Kern, Warren Low, Francis D. Lyon, Harold J. McCord, Eugene Milford, Maurice Pivar, Murray Seldeen, I. James Wilkenson and Gordon S. Mitchell, manager of the Research Council.

David Howard Dies; Was Veteran Director

HOLLYWOOD, Dec. 22.—David Howard, 45, who began in films about 20 years ago as an actor and later became an assistant director and subsequently a director, died yesterday after a long illness. He had recently been working at RKO on a series of Westerns. Surviving are his widow, Mrs. Florence Howard, and a son, William.

Open New Miami Theatre

MIAMI, Dec. 22.—The new Royal Theatre here, seating 1,000, and built by the Royal Palm Investment Corp., has been opened, operated by John A. Cunningham, former owner of the State and Mayfair here.



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THEODORE J. SULLIVAN

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VOL. 50. NO. 124 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 24, 1941 TEN CENTS

MELLETT TO HEAD GOVERNMENT FILMS

Loew Loan of $18,000,000 Is Arranged

Refunding Plan to Save Holders $700,000

Loew's, Inc., yesterday completed arrangements with nine insurance companies and the First National Bank of Boston for an $18,000,000 loan to be used for the retirement of all of the company's 3½ per cent debentures and the 136,000 shares of first preferred stock outstanding.



N. M. Schenck

The refunding program involved will effect a savings to Loew's common share holders of $700,000 in dividends and interest during the first year of the loan, it is estimated.

(*Continued on page 4*)

24 Non-Theatrical Films Set for S.A.

A group of 24 films in 16 mm. has been assembled by the motion picture division of the Office of the Coordinator of Inter-American Affairs for non-theatrical exhibition in South and Central America for shipment prior to Jan. 1, it was announced yesterday by John Hay Whitney, director of the film division. Some have been shipped already.

In addition, 18 others are being edited under the direction of Kenneth Macgowan for shipment from January to April. Distribution is under the di-

(*Continued on page 4*)

Name Callaway U.A. Western Manager

W. E. Callaway has been appointed West Coast district manager for United Artists, with headquarters in Los Angeles, succeeding Ben Fish, who resigned recently. Carl Leserman, U. A. general sales manager, announced the appointment yesterday.

Callaway was for many years with Warners, as West Coast district manager and as Los Angeles branch manager, and prior to that was Western sales executive for RKO. He takes over his new post immediately.

Home Offices Will Close Early Today

All home offices will close early today in observance of the Christmas holiday. Several will close at 1 P.M. and others will suspend work about mid-afternoon. Many informal parties will be the rule, although the Paramount Pep Club and Universal home office employes plan more elaborate celebrations.

FWC Employes Get $96,000 in Bonuses

LOS ANGELES, Dec. 23.—Charles P. Skouras has announced distribution of $98,000 in Christmas bonus checks to Fox West Coast Theatres employes, including those who have left the company to enter the armed forces of the nation.

The total exceeds by more than $40,000 the similar disbursement made last year. In an address to members of the organization at the Ambassador Hotel, Skouras, said, "The first duty of every member of our organization is to our Government. All the manpower, equipment and facilities of the entire Fox West Coast Corp. are geared for just one purpose, to give the utmost cooperation to those who in this critical period of our nation's history have been elected to guide its destiny."

Unity Program Is Approved in Phila.

PHILADELPHIA, Dec. 23.—The United M. P. T. O., an MPTOA affiliate with headquarters here, has voted approval of the industry unity program drawn up by the M.P. Industry Conference Committee.

End Cuba Duty on U.S. Film Imports In Trade Treaty

WASHINGTON, Dec. 23.—Elimination of the present Cuban import duty on American films going into that country under bond for preliminary showing to distributors or for purposes of censorship, and which are re-exported within 30 days, is provided for in a supplementary reciprocal trade agreement announced today by the State Department.

The present duty on such films is 4.8 pesos per kilogram, or approximately $4.80. In 1940 such imports were valued at 131,000 pesos.

Defense Unity Plan Of Morris Agency

The William Morris Agency today inaugurates a campaign on the "spirit of show business," to marshal the trade behind the country's defense efforts in the present crisis, with the slogan "Hey Rube." Campaign buttons of red, white and blue, bearing the slogan, are being distributed through the theatre area in the city, in hotels, cafes and theatres to popularize the drive.

The agency also is advertising in the trade papers and among the first outgrowths of the campaign is the consideration which Robert Christenberry, managing director of the Hotel Astor,

(*Continued on page 4*)

FDR Voices Objection to Censorship; Harmon Represents Trade

Declaring that he wants no censorship of motion pictures, President Roosevelt has appointed Lowell Mellett, director of the Office of Government Reports, as Coordinator of Government Films during the war emergency.

The appointment was made known by Mellett in a letter to George J. Schaefer, chairman of the War Activities Committee—M. P. Industry, yesterday. Concurrently, Schaefer announced that Francis S. Harmon, executive vice-chairman of the War Activities Committee, has been named to represent all branches of the industry in dealing with the Government.

The President approved this procedure in a letter to Mellett designating him as the Government's representative in its wartime relations with the industry. Schaefer immediately informed Mellett of Harmon's designation as the industry representative.

In his letter of direction to Mellett, President Roosevelt said: "The American motion picture is one of our most effective media in informing and entertaining our citizens. The motion picture must remain free insofar as national security will permit. I want

(*Continued on page 4*)

3,000 Houses in 'Dimes' Campaign

Close to 3,000 theatres have pledged participation in the motion picture industry's drive for the 1942 March of Dimes, it was estimated yesterday. Each theatre will show the Clark Gable appeal trailer at each performance during the week starting Jan. 22, and make collections in the theatre.

A campaign book being prepared by Ernest Emerling of Loew's advertising staff will be ready for distribution by the end of this week. All supplies will be furnished gratis to theatres.

Release of Nebraska Members by Ascap Seen Move for Law Repeal

In a move which observers believe is a preliminary to commencement of a series of copyright infringement suits against theatres, radio stations and other places in Nebraska where music is performed publicly, Ascap yesterday released all its members for that state.

Ascap stated that the anti-Ascap law in Nebraska made it impossible to function there and that the release "will permit the individual composers, authors and publishers to issue licenses for their copyrighted musical compositions in Nebraska as well as to take measures to protect themselves against and to seek redress for unauthorized public performances of their compositions."

Actually, according to observers, few members are expected to pay the fee which is a necessary preliminary to licensing performances. Instead, it was said, the members may be expected to refuse to grant licenses and to start prosecutions whenever their music is played. It is expected to cause users to urge the Nebraska legislature to repeal the statute, it was said.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Christmas Day.**

Coast Flashes

Hollywood, Dec. 23

W. S. Van Dyke, director, has given $10,000 to the Motion Picture Relief Fund as a Christmas present. The sum, the largest single contribution except the bequest of Douglas Fairbanks, probably will be used for a clinic at the Motion Picture Country Home, now under construction, it was said.

Documentary films will be recognized this year by the Academy of Motion Picture Arts and Sciences. Two awards, one for the best short and the other for the best feature, will be made, with decision on the method of competition to be decided Jan. 7.

The executive board of the Screen Writers Guild today named an overall liaison committee of writers to coordinate the work of guild members volunteering to aid national defense. Ralph Block is chairman. He will work between Washington authorities, the national industry committee and the Hollywood writers defense group.

Walt Disney Productions, Inc., is producing a series of 20 one-reel films for the Navy on a cost-only contract, the films to be used in training for recognition of American and foreign aircraft and warships. Live photography, animiation and models will be used. They are being produced in coordination with the U. S. Navy.

Conrad Elected by Wilkes-Barre Union

WILKES-BARRE, PA., Dec. 23.—Members of Local 325, Motion Picture Operators, have elected Raymond Conrad president. Other officers are: Edward Parsons, vice president; Joseph D. Malloy, financial secretary-treasurer; William Piatt, business agent; Robert Piatt, Jr., corresponding and recording secretary; Peter Klem, sergeant-at-arms; George Tate, delegate to the Central Labor Board; Kain Jacobs, Mark Thomas, Thomas Hayden, Herbert Rinkenberger, executive board; C. M. Piatt, Leonard Gabel, John Zuritski, Fred Alles, Ivan Welhaf, examining board; Robert Piatt, Kenneth Barber, Donald Eggleston, trustees.

Three officers of Theatre Employees Union, Local B-96, IATSE, here, were reelected. Ruth Martin as president, Karl Thomas, financial secretary and William Tosline, business agent. Others are: Tom Curley, vice-president; Robert McWilliams, recording secretary; Eva Davis, sergeant-at-arms; Tom Groves, Tina Morgan, John Swipes Mary Freeman, executive board; Harry Jones, Marion O'Neill, James Boney, trustees.

BROADWAY PLAYS

"A GREAT SHOW."—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except Mon. Mats. Xmas, Fri. & Sat.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

J. D. McELHINNEY, 20th Century-Fox Far Eastern representative, reported to the home office by cable yesterday that he was safe at Singapore and that business is continuing there.

•

LEO HILL, doorman at the Strand Theatre in Wilkes-Barre, Pa., has enlisted in the Army, joining two brothers now in the service.

•

LESTER KRIEGER, assistant to TED SCHLANGER, Warner theatres zone chief in Philadelphia, returned to active duty after being out for several months because of illness.

•

DR. JOSEPH FORTE, JR., son of JOSEPH FORTE, manager of Warners' Parker, Darby, Pa., has left for the Canal Zone as a lieutenant in the Navy.

•

ALBERT DEANE, assistant to JOHN W. HICKS of Paramount, has been made industry press contact for the Coordinator of Inter-American Affairs.

STEVE PALLOS, ALEXANDER KORDA's Eastern representative, returned from Washington last night.

•

BUDD GETSCHAL of the Paramount home office exploitation staff and ROSALIND TERKER will be married at the Hotel Biltmore this evening. They will leave for Miami on a month's honeymoon.

•

JOSEPH LINGO, assistant manager at Loew's Rochester, has left his post to enlist in the Army.

•

FRED LOVEJOY, son of FRANK W. LOVEJOY, chairman of the board of Eastman Kodak Co., Rochester, is a private in the 209th Coast Artillery.

•

WILLARD MATTHEWS, manager of the Strand Theatre, Scranton, Pa., is the father of a son, JAMES WILLIAM, born to MRS. MATTHEWS in the Woman's Hospital, Scranton.

•

J. A. McCONVILLE, Columbia foreign manager, arrived from South America by plane yesterday.

Trade and Press at Preview of 'Gesture'

A capacity trade and press audience crowded the Astor Theatre last night for the showing of Arnold Pressburger's "The Shanghai Gesture," which will be distributed by United Artists.

Among those present were: Leonard Goldenson, Sam Dembow, A. W. Smith, E. C. Grainger, Charles W. Koerner, Sam Rinzler, Louis Frisch, C. C. Moskowitz, Malcolm Kingsberg, Clayton Bond, E. L. Alperson, Jules Levey, Edward C. Raftery, Gradwell Sears, Arthur W. Kelly, Pressburger, Phyllis Brooks, Carl Leserman, Harry D. Buckley, Paul Lazarus, L. J. Schlaifer, Steven Pallos, Ed Peskay, Laudy Lawrence, Leo Brecher, Si Fabian, Oscar Doob, Max Cohen, Eugene Picker, Leon Netter, Fred Schwartz and Harry Goldberg.

RKO Sales Drive Conference Here

Following a tour of RKO branches in the East and South, Net Levy, captain of the Ned Depinet sales drive, yesterday conducted a meeting at the New York exchange of the staff and home office executives. A. W. Smith, Jr., sales manager, addressed the session. Others attending were Robert Mochrie, Harry Michalson, A. A. Schubart, M. G. Poller, W. J. McShea, Ed Smith and Robert Wolff.

Levy will take up his tour of the field, along with Harry Gittleson, editor of the RKO house organ, after the first of the year.

Court Denies Last Nick, Weston Plea

ST. LOUIS, Dec. 23.—John Nick and Clyde Weston, ousted heads of the local operators union, have lost their last possible appeal from the five-year Federal prison terms to which they were sentenced, when the U. S. Supreme Court denied their application for a rehearing of their case.

Convicted under the Federal anti-racketeering statute, they must surrender before Jan. 2 to be transferred to prison.

Offers Suggestion For Civil Defense

Henry Anderson, in charge of fire protection and safety matters for Paramount, has issued a set of suggestions for theatre managers relating to civil defense. Anderson stresses the importance of alertness and preparedness, and urges full cooperation with local authorities in defense activities, in which the manager is urged to take a prominent part.

It is pointed out that the theatre for the most part presents a simple problem in the matter of blackouts, and stresses the importance of keeping fire escapes and alleys clear. Immediate steps should be taken to prepare for air raids. Lighting and fire fighting equipment should be checked, and the theatre personnel fully prepared.

Para. Theatre Staff Hears Raid Advice

John Ojerholm, head of Paramount's technical department and film laboratory in London, yesterday addressed the staff of the Broadway Paramount Theatre, at a special defense meeting called by Robert M. Weitman, managing director.

Ojerholm pointed out that in time of raid or alert panic may cause more trouble than bombs, and commended Weitman for the rules adopted by the theatre. He said three Paramount London houses have escaped bombing during two years of war.

Named Film Buyer

PHILADELPHIA, Dec. 23.—Benjamin Sork, operator of the Rio theatres in Reading and Schuylkill Haven, Pa., has named David Milgram, head of the Affiliated Theatres here, as film buyer for his houses. The Rio houses, however, will be operated independently of the circuit.

Takes House in Pa.

BETHLEHEM, PA., Dec. 23.—William Blobstein has taken over the operation of the local Strand.

Newsreel Parade

WINSTON CHURCHILL arrived here in time to make the midweek issues of the newsreels. Films of the Prime Minister and President Roosevelt at the White House were released by the censor Monday night. The contents:

MOVIETONE NEWS, No. 31—Churchi at the White House. Pearl Harbor pro under way. Admirals King and Nimit promoted; MacArthur becomes full gen eral. Knox at Annapolis graduations Colin Kelly's family honored at Madison Fla. Byron Price named censorship di rector. Mexican troops in Arizona. Mayo Kelly and defense workers in Chicag Beach fashions in Florida. Giants-Bear football. Racing at Tropical Park.

NEWS OF THE DAY, No. 229—Churchill a White House visitor. Tribut to Colin Kelly. Byron Price in Washing ton. Navy investigates Pearl Harbor at tack. Axis prisoners in Libya. Annapoli graduations. Bears-Giants football.

PARAMOUNT NEWS, No. 34—Churchi in Washington. President Vargas review Brazil's naval units. Harrisburg rive yields coal. Train cavalry horses at For Reno, Okla. Annapolis graduations. Bears Giants football. Soldiers and Christma gifts. Churches in victory prayer.

RKO PATHE NEWS, No. 34—Churchi meets Roosevelt. Annapolis graduations Pearl Harbor inquiry. Roosevelt honor Colin Kelly. Nazi envoys leave Washing ton. Hyde Park children form army Byron Price named director of censorshi Beach fashions in Florida. Bears-Giant football.

UNIVERSAL NEWSREEL, No. 43—Churchill in Washington. British tak prisoners in Libya. British women at wa posts. Canadian air cadets here. Trai wreck in Missouri. Sunshine fashions i Florida. Annapolis graduations. Admira Nimitz named Pacific Fleet commander Pan-American meeting in Washington. By ron Price named censorship director. De fense rally in Chicago. Cruiser and de stroyer launched at Staten Island. Coli Kelly honored.

Phila. Associates To Honor Emanue

PHILADELPHIA, Dec. 23.—A testi monial dinner in honor of Jay Eman uel, as founder of Motion Pictur Associates here, has been decide upon by the local group. The affai will be held some time in March, ac cording to present plans. The grou also donated $50 to the charity fun of the local Variety Club.

Hold Schine Party

ROCHESTER, Dec. 23.—Some 25 employes in all the local Schin houses staged their annual Christma party last night at the Seneca here

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THE SPIRIT OF THE NEW YEAR . . .

HEY RUBE!

TAKE YOUR PLACES



The traditional circus call to arms — the rallying cry of Show Business — again thunders through the great American world of entertainment.

The Big Show has been attacked!

Down through the pages of our country's history — whenever security and decent living were endangered by the wanton acts of international outlaws — our fathers and our fathers' fathers closed their fists about every last weapon at hand to defend their nation's life and liberty.

Our country needs us now. There are a thousand ways to help — a thousand ways to roll up our sleeves and heed the traditional battle-cry of Show Business. Take your places! Grab the best weapon at hand — and come out fighting!

HEY RUBE!

★

OUR SEASON'S GREETINGS TO SHOW BUSINESS

XXX

ESTABLISHED 1898

WILLIAM MORRIS AGENCY Inc.

Name Mellett To Coordinate Films of Gov't

(*Continued from page* 1)

no censorship of the motion picture; I want no restrictions placed thereon which will impair the usefulness of the film other than those very necessary restrictions which the dictates of safety make imperative.

"The motion picture, especially as used by the Federal Government, has a very useful contribution to make during the war emergency. In order that the Federal Government's efforts in the field of motion picture production and distribution may serve most effectively and efficiently, it is desirable that all activities of the Federal Government be coordinated under the direction of one central office."

In writing to Schaefer, Mellett said:

"During the past 15 months, as you know, I have fulfilled the function of the Coordinator of Government Films to a limited extent. During that time I have been greatly impressed by the sincerity of the motion picture industry as a whole in its purpose to aid our national defense in every way. All my experience with you and those you represent has been pleasant and I have every reason to feel sure the same will be true during the months ahead. I am confident that we can make this cooperation very effective, indeed."

On receipt of this letter, Schaefer telegraphed Mellett:

"Your reference to the sincerity of this industry's effort during the past fifteen months in aiding the national defense program is deeply appreciated. You may count upon our vigorous cooperation in the achievement of complete victory in this war against those who threaten all freedom."

Harmon, as executive vice-chairman of the industry War Activities Committee, will open offices in the Paramount Building on Jan. 1.

Defense Unity Plan Of Morris Agency

(*Continued from page* 1)

and Max A. Cohen, president of New York Allied, along with other showmen of Broadway are giving to establish a "Hey Rube Club," wherein the big and little will gather for the general welfare of the men and women in show business in the present crisis.

Settle Labor Dispute

A joint statement was issued yesterday by Constance Hope Associates, publicity firm, and the American Advertising Guild, announcing settlement of the labor dispute. All former employes have returned to work and the firm will not discontinue business, as previously announced. Terms of the settlement were not revealed.

'Wedding' at Carnegie

"Quiet Wedding," British film produced by Paul Soskin and released in this country by Universal, will open at the Little Carnegie Playhouse on Sunday.

Review

"Wild Bill Hickok Rides"

(*Warners*)

WITH Bruce Cabot as Wild Bill Hickok, Constance Bennett as a lady card sharp, and Warren William as the villianous, double-dealing bad man, it might be expected that "Wild Bill Hickok Rides" would be a first-rate Western, and it is.

Credit director Ray Enright with having made one of the "shooting-est" outdoor action films of recent date. There is hardly a foot of film that does not have its share of gunplay and action and there is enough gunpowder exploded during the course of the picture's running time to supply a regiment.

When her dance hall burns during the Chicago fire, Miss Bennett teams up with William in an effort to gain control of some valuable ranch land in Montana. She meets Cabot on the train West and falls in love with him after he foils a holdup. Love, however, does not interfere with Miss Bennett's business interests and she agrees to aid William in ousting Cabot's friends (Russell Simpson and young Betty Brewer) from their ranch. Miss Bennett draws the line, however, at murder and ultimately goes over to the homesteaders' side to aid them against the gang.

The film is excellently cast. Besides those mentioned there are Walter Catlett as the local editor; Ward Bond as the crooked sheriff, Frank Wilcox, Howard da Silva, Trevor Bardette, Lillian Yarbo, Lucia Carroll and Faye Emerson. Edmund Grainger was associate producer. The one song, contributed by Miss Bennett and her troupe of girls, "The Lady Got a Shady Deal," is worthy of mention.

Running time, 81 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

'John (Allied) Exhibitor' Gives Santa His Order

WASHINGTON, Dec. 23.—"Johnny Exhibitor," with the assistance of Abram F. Myers, chairman and general counsel of Allied States, today wrote and posted his "letter to Santa Claus" in which he requested only "sensible gifts, gifts that will benefit others as well as myself."

In order, he asks for the following:

Victory "for my beloved country over her treacherous enemies and the establishment of a just peace that will endure forever."

Unity through the "success of the M. P. Industry Conference Committee as a mighty shield and defender of the industry and as a forum for the discussion and adjustment of industry problems."

An acceptable substitute on June 1 for the "unworkable and now discredited" blocks-of-five selling method.

Either abolition of or a complete change of personnel in the arbitration appeals board "so that whatever is good in the arbitration system can be salvaged" for, instead of giving effect to the purpose of the decree to curb monopoly and restore competition, the "board has interpreted the decree as a bill of rights for the existing order and has emasculated virtually every award in favor of an independent exhibitor and has offered gratuitous advice to the circuits and distributors as to how to evade the decree."

Asks Ceiling for Rentals

A ceiling for rentals that will assure us a fair profit, which we hope can be accomplished without governmental action—all that is needed is vision on the part of producers-distributors who must realize the inevitable consequences of profiteering when the country is at war; who must view the rentals demanded in the light of their reported earnings and then consider the impression which these will create in the minds of officials charged with preventing inflation."

Fair dealing, including a tacit resolve on the part of distributors not to resort even occasionally to the withholding of pictures to which exhibitors are fairly entitled under their contracts or on demands that exhibitors increase their admission prices.

Worked for Harmony

To establish that he is a deserving recipient this year, "Johnny Exhibitor" reminds Santa Claus that despite the consent decree, higher film rentals, a box-office slump and the withholding of pictures, "I did not raise half of my customary hell." He was "too busy trying to save my property in the face of increased costs and taxes" and working for "industrial harmony as a contribution towards national unity," and cooperating with Uncle Sam by showing defense reels, the "Land of Liberty" at a loss, participating in the USO compaign and contributing to the Red Cross.

"I claim no special credit for these activities," he tells Santa Claus, "although I resent someone else taking the credit, as in the case of Will Hays in transmitting to the Red Cross the check for 'Land of Liberty'."

Altec-Midwest Deal Set

Altetc Service Corp. has closed a deal for booth service with the Midwestern Booking Agency of Columbus, O.

New Cantor Musical Will Open Tomorrow

The new Eddie Cantor musical, "Banjo Eyes," is set to open tomorrow night at the Hollywood. Featured with Cantor are Tony and Sally De Marco, Lionel Stander, Audrey Christie and June Clyde. The show has music by Vernon Duke and is based on a play by John Cecil Holm and George Abbott. Albert Lewis produced.

Loew Loan of $18,000,000 Is Arranged

(*Continued from page* 1)

David Bernstein, vice-president an treasurer, directed the negotiations.

Of the total amount of the loa $13,000,000 was borrowed at thre per cent from the following insuranc companies: Massachusetts Mutua John Hancock, Sun Life, Pennsy vania Mutual, New England Mutua State Mutual of Worcester, Mass Union Central of Cincinnati, Cont nental Casualty of Chicago and Cor tinental Assurance Co. of Chicago.

The remaining $5,000,000 from th First National of Boston is a fiv year, 2¼ per cent loan.

Loew's 3½ per cent debentures ou standing, due in 1946, amounted t $10,456,000. The company's $6.50 p par preferred outstanding amounted t 136,000 shares. The debentures ar callable at 102½ up to Feb. 15, 194. and at 102 up to Feb. 15, 1943. Th preferred is callable at 105.

Set New Circuit of USO-Camp Show

USO-Camp Shows, Inc., has an nounced that a second group of 1 new shows, to be known as the "Sta Spangled Circuit," will be launche from coast to coast on Jan. 12. Th new circuit will play 141 Army camp and Naval stations, according t Eddie Dowling, president of USO Camp Shows. Dowling said leader of stage, screen and radio had place the operations strictly on a war-tim basis.

More than 200 name bands hav volunteered their services to USO Camp Shows, playing in more tha 100 Army and Navy posts. A spe cial Christmas show for the personne at the Newport, R. I., Naval statio was staged last night at the Para mount Theatre, Newport. The talen was headed by Bert Lytell, newly ap pointed coordinator of entertainmen for shows in the embarkation areas

24 Non-Theatrical Films Set for S.A

(*Continued from page* 1)

rection of Phil Reisman, RKO foreig vice-president, with the aid of commit tees set up in each Latin America country by the State Department. Th subjects cover a wide field of infor mation on American material. The are sound-tracked in both Spanish an Portuguese.

Excerpts From A Lecture Delivered Last Night By

Professor JAMES DURANTE Ph.D., B.W.B., Y.I.T.A.N.

(Doctor of Phun, Bon vivant of Warner Bros. and Star of "You're In The Army Now")

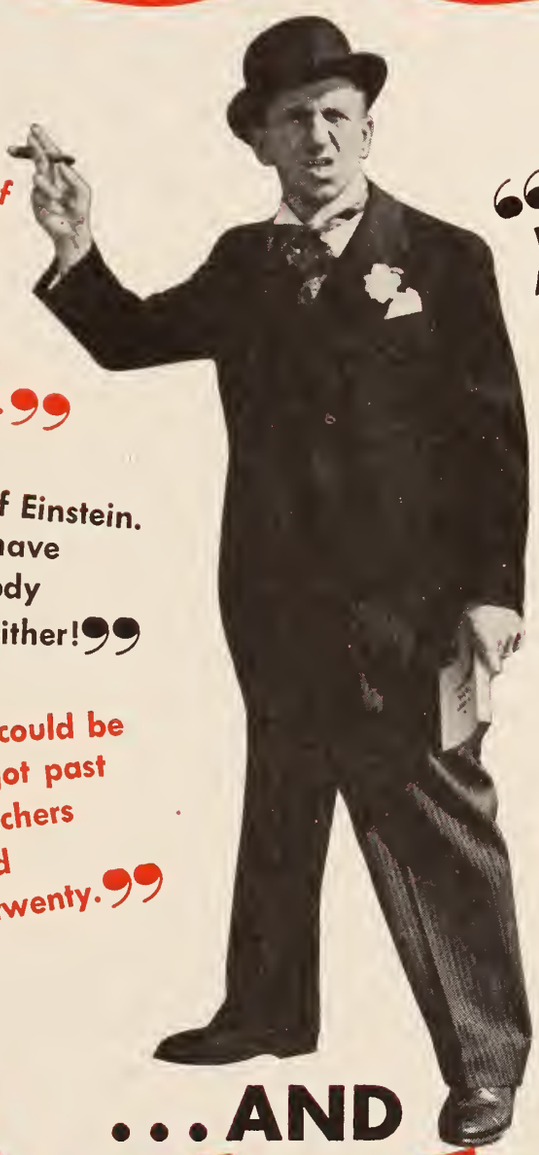
Before the Class of Motion Picture Art at New York University

The Subject: MOTION PICTURE AND COMEDY'S PART IN THE WAR EFFORT

"Americans are never too busy to laugh. In the middle of the greatest national emergency, they can still go to the movies and laugh. And when they come out, they're tougher and harder to lick."

"My talents are like those of Einstein. He's got that head of hair. I have the schnozzle. And nobody understands him either!"

"If I had more education, I could be a script writer. But I never got past the fourth grade. The teachers was prejudiced. They favored the kids under twenty."



"I'm ripe for making a speech. I just got through with "You're In The Army Now". Top sergeants all over the joint. They made me shoot off everything but my mouth!"

"My new picture "You're In The Army Now" is great. You ought to see it. Everyone ought to see it. The whole world ought to see it. How they will adore me!"

"This is my message. Keep studying, keep your nose to the grindstone and you'll end up like me. You have been warned!"

...AND

You're in the Army Now

HITS THIS WEEK!

Warner Bros. Keep 'em Rolling

War and Xmas Bring Slump in Chicago Loop

CHICAGO, Dec. 23.—The combination of war news and Christmas shopping proved too much for grossses in the Loop houses, and all business was down. "Honky Tonk" in the third week at the State-Lake drew $15,000.

Estimated receipts for the week ending Dec. 18.

"Smilin' Through" (M-G-M) 6 days, 3rd week
"Confirm or Deny" (20th-Fox) 1 day
APOLLO—(1,400) (30c-40c-59c) 7 days. Gross: $4,500. (Average, $5,000)
"The Maltese Falcon" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage—Martha Raye. Gross: $30,000. (Average, $32,000)
"Sergeant York" (W. B.)
GARRICK—1,000) (35c-55c-75c) 7 days, 3rd week. (8th week in Loop) Gross: $5,800. (Average, $5,000)
"I Killed a Man" (Mono.)
ORIENTAL — (3,200) (25c-35c-40c-50c) Stage—"Screwballs of 1942" unit. Gross: $17,500. (Average, $16,000)
"Keep 'Em Flying" (Univ.)
"Moonlight in Hawaii" (Univ.) 5 days, 2nd week.
"Dumbo"
"Unexpected Uncle" (RKO) 2 days.
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $16,000. (Average, $13,000)
"Unholy Partners" (M-G-M)
"Target for Tonight" (W. B.)
ROOSEVELT—(1,500) (30c-40c-59c) 7 days, 2nd week. Gross: $11,500. (Average, $11,000)
"Honky Tonk" (M-G-M)
STATE-LAKE—(3,700) (40c-44c-55c-75c) 7 days, 3rd week. Gross: $15,000. (Average, $14,000)
"Two Faced Woman" (M-G-M)
UNITED ARTISTS—(1,760) (30c-40c-59c) 7 days, 3rd week. Gross: $11,500. (Average, $14,000)

Competition Brings Indianapolis Lull

INDIANAPOLIS, Dec. 23.—With the war providing competition half the week and Sonja Henie's ice show providing competition most of the week, "Suspicion" and "Unexpected Uncle" drew $6,500 at the Circle.

Estimated receipts for the week ending Dec. 11:

"Suspicion" (20th-Fox)
"Unexpected Uncle" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $6,500)
"I Wake Up Screaming" (20th-Fox)
"Great Guns" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $6,000. (Average, $7,000)
"Sundown" (U. A.)
"Niagara Falls" (U. A.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $7,500. (Average, $8,000)
"Birth of the Blues" (Para.)
"Among the Living" (Para.)
LYRIC—(2,000) (28c-33c-44c) 7 days, 2nd week. Gross: $4,300. (Average, $4,500)

'Flying' Captures $8,700, New Haven

NEW HAVEN, Dec. 23.—"Keep 'Em Flying" and "Burma Convoy" at the Roger Sherman drew $8,700.

Estimated receipts for the week ending Dec. 18:

"Rise and Shine" (20th-Fox)
"Three Girls About Town" (Col.)
COLLEGE—(1,627) (40c-50c) 7 days. Gross: $3,800. (Average, $2,700)
"Sundown" (U. A.)
"We Go Fast" (20th-Fox)
LOEW-POLI— (3,005) (40c-50c) 7 days. Gross: $7,400. (Average, $8,000)
"Skylark" (Para.)
"Among the Living" (Para.)
PARAMOUNT—(2,373) (40c-50c) 7 days. Gross: $5,500. (Average, $4,500)
"Keep 'Em Flying" (Univ.)
"Burma Convoy" (Univ.)
ROGER SHERMAN—(2,076) (40c-50c) 7 days. Gross: $8,700. (Average, $5,000)

Notes from Hollywood

Hollywood, Dec. 23

PURCHASE of eight story properties by various studios marked recent Hollywood production activities. Republic and M-G-M each bought two, Monogram, 20th Century-Fox, Paramount and RKO each acquiring one.

Republic bought "Gold Runs the River," story of early California gold rush days by J. ROBERT BREN and GLADYS ATWATER, and "Water Carnival," by MAURI GRASHIN and ROBERT SHANNON. M-G-M acquired "Teach Me to Live," FORBES PARKHILL story of the settlement of Colorado, and "The Stranger," by CLARENCE UPSON YOUNG, also a western. Another western story purchased was "Sundown Jim," by ERNEST HAYCOX, by 20th Century-Fox which plans to star JOHN KIMBROUGH in it.

Other acquisitions include: by RKO, "Challenge in the Night," South Seas story by CECIL LEWIS, to star MICHELE MORGAN; by Paramount, "Satan Plays the Piano," original by GEORGE BECK, and by Monogram, "Shed No Tears," original by JOSEPH HOFFMAN.

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Among the major casting assignments are the following: Eddie Albert has been set for the title role of Paramount's "Merton of the Movies," Harry Leon Wilson's famous story and play which will be re-filmed as a musical. Ralph Murphy will direct. . . . Lew Ayres gets the top role in M-G-M's "Fingers on the Window," which will be writer Charles Lederer's first directorial assignment.

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VICTOR MATURE replaces DON AMECHE in 20th Century-Fox's "My Gal Sal," in which he will enact the role of PAUL DRESSER, songwriter. . . . JOHN PAYNE then replaced MATURE in "Ten Gentlemen from West Point," in which GEORGE MONTGOMERY, MAUREEN O'HARA and LAIRD CREGAR and possibly RANDOLPH SCOTT have roles. . . . Universal set GLORIA JEAN to star with the ANDREWS SISTERS in "Wake Up and Dream," which KEN GOLDSMITH will produce.

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Giving DONNA REED an extensive buildup, M-G-M replaced LARAINE DAY with her in "Mokey Delano," in which she will appear with DAN DAILEY, JR. Another writer, WELLS ROOT, makes his directorial debut with this. . . . ROBERT PRESTON and ELLEN DREW, who appear in "The Night of January 16th," will be reunited in "Lady Bodyguard," Paramount. . . . Warners signed BARBARA STANWYCK for the role originally announced for BETTE DAVIS in "The Gay Sisters," in which OLIVIA DE HAVILLAND and GEORGE BRENT will share star billing. IRVING RAPPER will direct.

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Top roles in "Red Harvest," from the DASHIELL HAMMETT book, will be given to PAULETTE GODDARD, BRIAN DONLEVY and ALAN LADD, according to Paramount. FRED KOHLMAR will produce. . . . Also, at the same studio, HUGH HERBERT was set for the role of "Mr. Stubbins" in "Mr. Wiggs of the Cabbage Patch," and EDDIE BRACKEN in "Happy Go Lucky," opposite MARY MARTIN. . . . ARLINE JUDGE, JOHN KING, MANTAN MORELAND have been set in the top roles of "Law of the Jungle," Monogram production dealing with activities of Nazi spies in South Africa which will be produced by LINDSLEY PARSONS.

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Allen Jenkins joins the cast of M-G-M's "Tortilla Flat." . . . Twentieth Century-Fox placed Cesar Romero in "Tales of Manhattan," and Joe Allen, Jr. and Sheila Ryan in "Hearses Don't Hurry." . . . Ray Middleton was given the starring role in Republic's "Spoilers of the North," adaptation of the *Saturday Evening Post* serial, "Golden Portage." . . . Albert Dekker was loaned by Paramount to Republic for "Yokel Boy."

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JULES SCHERMER, on the staff of Producer SOL SIEGEL at Paramount, has been made an associate producer and assigned the Henry Aldrich series pictures. . . . RALPH HUSTON, formerly with Paramount's publicity department, has joined the Warner staff and IRVING RUBINE, who resigned his Warner publicity spot, joins Columbia. . . . Monogram has completed a new projection room-theatre at its new headquarters in Hollywood, seating 50. . . . EARL BALDWIN has been signed by EDWARD SMALL to do the script of "Up In Mabel's Room," stage farce which SMALL will remake. ALLAN DWAN will direct.

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CARL SCHAEFER of Warners has been elected chairman of the foreign department committee of the Association of Motion Picture Producers. . . . RICHARD THORPE is guiding the new Tarzan picture, "Tarzan Against the World," at M-G-M. In this, the background shifts from the jungle to New York, and Tarzan has to wear "store" clothes. . . . SAMUEL GOLDWYN has signed WILLAM CAMERON MENZIES as production designer for the untitled picture based on LOU GEHRIG's life. . . . M-G-M has changed the title of the musical "I'll Take Manilla" to "Ship Ahoy."

'Flying' Overcomes Buffalo Gross Slump

BUFFALO, Dec. 23.—Grosses were off in most theatres here because of tension resulting from the war. "Keep 'Em Flying" was strong, however, taking $12,000 at the Lafayette.

Estimated receipts for the week ending Dec. 13:

"Skylark" (Para.)
"Night of January 16th" (Para.)
BUFFALO—(3,489) (35c-55c) 7 days. Gross: $9,300. (Average, $12,000)
"I Wake Up Screaming" (20th-Fox)
"Marry the Boss' Daughter" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $6,800. (Average, $7,500)
"Rise and Shine" (20th-Fox)
"The Perfect Snob" (20th-Fox)
HIPPODROME—(2,100) (35c-50c) 7 days. Gross: $6,400. (Average, $6,800)
"Sundown" (U. A.)
"Sailors on Leave" (Rep.)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Gross: $8,500. (Average, $7,500)
"Keep 'Em Flying" (Univ.)
"South of Tahaiti" (Univ.)
LAFAYETTE—(3,000) (35c-50c) 7 days. Gross: $12,000. (Average, $6,300)

Seattle Shows Slight Gains At Box-Office

SEATTLE, Dec. 23.—With the first war scare over and nightly blackouts discontinued, show business improved. "George White's Scandals" on the Orpheum stage with "Blues in the Night" took $7,500.

Estimated receipts for the week ending Dec. 19:

"The Feminine Touch" (M-G-M)
"Unholy Partners" (M-G-M)
BLUE MOUSE—(950) (30c-40c-58c-70c) 7 days, 2nd week. Moved from Paramount. Gross: $3,600. (Average, $4,000)
"One Foot in Heaven" (W.B.)
"Small Town Deb." (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-58c-70c) 7 days. Gross: $6,800. (Average $7,000)
"Sundown" (U.A.)
"Niagara Falls" (U.A.)
LIBERTY — (1,800) (30c-40c-58c-70c) 7 days, 3rd week. Gross: $3,800. (Average $5,000)
"The Chocolate Soldier" (M-G-M)
"Married Bachelor" (M-G-M)
MUSIC BOX—(950) (30c-40c-58c-70c) 7 days, 2nd week. Moved from Fifth Avenue. Gross: $3,200. (Average, $4,000)
"Blues in the Night" (W.B.)
ORPHEUM—(2,450) (30c-40c-58c-65c) 7 days. Stage: George White's Scandals. Gross: $7,500. (Average, $6,000)
"Mob Town" (Univ.)
"Tuxedo Junction" (Repub.)
PALOMAR—(1,500) (20c-30c-40c-58c) 7 days. Stage: Vaudeville, headed by Joan Brandon. Gross: $4,700. (Average, $5,000)
"Rise and Shine" (20th-Fox)
"Night of January 16" (Para.)
PARAMOUNT—(3050) (30c-40c-58c) 7 days. Gross: $6,400. (Average, $6,000)

'Serenade' Garners $9,500, Minneapolis

MINNEAPOLIS, Dec. 23.—"Sun Valley Serenade" attracted $9,500 at the State.

Estimated receipts for the week ending Dec. 19:

"Keep 'Em Flying" (Univ.)
CENTURY—(1,600) (28c-39c-44c) 7 days 2nd week. Gross, $4,000. (Average: $4,000)
"Father Takes a Wife" (RKO)
GOPHER—(998) (28c) 5 days. Gross $2,200. (Average: $2,500)
"Suspicion" (RKO)
WORLD—(350) (28c-39c-44c-55c) 7 days 2nd week. Gross: $1,900. (Average: $1,600)
"Charley's Aunt" (20th-Fox)
ORPHEUM—(2,800) (28c-39c-44c) 7 days Gross: $7,500. (Average: $5,500)
"Sun Valley Serenade" (20th-Fox)
STATE—(2,300) (28c-39c-44c) 7 days Gross: $9,500. (Average, $6,000)
"Last of the Duanes" (20th-Fox) 3 days
"Mr. Celebrity" (PRC) 3 days.
"The Gay Falcon" (RKO) 4 days.
"Three Girls About Town" (Col.) 4 days.
ASTER—(900) (17c-28c) 7 days. Gross $1,900. (Average: $1,800)

'Pulham' Baltimore Leader at $12,000

BALTIMORE, Dec. 23.—Pre-holiday shopping plus the war situation, resulted in a slump. "H. M. Pulham, Esq.," took $12,000 at the Century.

Estimated receipts for the week ending Dec. 18:

"H. M. Pullham, Esq." (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days Gross: $12,000. (Average, $10,000)
"Keep 'Em Flying" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 3rd week. Gross: $8,500. (Average, $8,000)
"Swamp Water" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 6 days, 2nd week. Gross: $7,500. (Average, $7,000)
"International Squadron" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $11,500. (Average, $12,000)
"Look Who's Laughing" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show including Maxine Sullivan. Gross: $16,000. (Average $14,000)

FAME

THE EIGHTH ANNUAL EDITION OF THE INTERNATIONAL REFERENCE AUTHORITY ON TALENT VALUES IS NOW ON THE PRESS.

THE BOX OFFICE CHAMPIONS OF 1941 PRESENTED WITH COMPLETE ANALYSIS AND PERSONNEL CREDITS. . . . THE MONEY MAKING STARS OF THE SEASON EVALUATED AND REPORTED UPON BY THE EXHIBITOR SHOWMEN OF THE WORLD.

THE RADIO CHAMPIONS OF 1941 AS POLLED BY MOTION PICTURE DAILY AMONG THE EDITORS OF THE DAILY NEWSPAPERS OF AMERICA.



EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK

Fanny Brice Gets Scroll Tomorrow

Formal presentation of a scroll commemorating the selection by radio editors of Fanny Brice as Best Comedienne in the sixth annual "Champion of Champions" poll conducted by "Motion Picture Daily" on behalf of *Fame*, will be made tomorrow evening. Miss Brice, in the guise of "Baby Snooks," will receive the scroll during the "Maxwell House Coffee Time" show 8-8:30 P.M. over NBC-Red.

Fly Asks Action on Bill for FDR Power

WASHINGTON, Dec. 23.—Quick action on legislation investing the President with war-time control of all communication facilities was urged upon the Senate Interstate Commerce Committee today by Federal Communications Commission Chairman James L. Fly.

Fly explained that the measure, already approved by the House, would enable the Army and Navy to take control and operate such specific facilities as might be required by war conditions, but gave assurance that no wholesale expropriation of broadcasting or other facilities is contemplated.

The only basis for the taking over of all facilities by the Government, he said, would be the spread of total war throughout the United States.

Time Gets Writ in 'War Clouds' Suit

Loew's, Inc., and Warwick Productions, Inc., consented yesterday befor Federal Judge John Bright in the U. S. District Court to an order enjoining them from distributing the two-reel film, "War Clouds in the Pacific," unless credit is given in the title to "March of Time" for a number of sequences taken from previous issues of "March of Time" and used in the film.

Suit was filed on Monday by Time, Inc., for an injunction and damages against Loew's, Warwick and the Moredall Realty Corp., operator of the Capitol, claiming that "War Clouds in the Pacific" infringed upon material from five "March of Time" issues made between 1937 and 1940, covering the Far East crisis.

New Competition for Pittsburgh Theatres

PITTSBURGH, Dec. 23.—New competition for film theatres is expected from the Gardens, owned by the Harris Amusement Co., which also operates seven theatres here.

"Ice Follies" will open a 16-day engagement here on Christmas Day. Following the "Follies," for the fourth consecutive holiday season, the Gardens will present a schedule that includes professional tennis matches, hockey, collegiate basketball, boxing and ice skating. In April will come the annual championship rodeo, to be followed by the roller derby. "Icecapades," owned by the Arena Managers Association headed by John H. Harris, completed an 11-performance engagement recently at the Gardens.

Off the Antenna

NBC has adopted a trademark consisting of a hand holding aloft an NBC microphone with the words, "National Broadcasting Company" inscribed around the outer edge. Bronze plaques, inset with the station's call letters, are being sent to all affiliates. Edward de Sailsbury, of the general promotion staff, designed the mark under the direction of Ken R. Dyke, promotion director.

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Purely Personal: *Robert St. John, NBC commentator, has arrived safely in London, he advised the home offices yesterday. . . . Jan Peerce has been signed for the forthcoming CBS series. "Great Moments in Music." . . . Raymond Gram Swing, Mutual commentator, has completed his second annual "Review of the News" for Pathe Newsreel.*

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WOR employes received Christmas bonuses this year in the form of Defense bonds and stamps. The equivalent of two weeks' salary was given to those who joined the station before Jan. 1, 1941, one week for those who started between Jan. 1 and Sept. 1, and an $18.75 bond to all others.

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WBYN is preceding all newscasts in foreign languages with a statement that the news about to be broadcast is from the Associated Press wire and that it is important that foreign language groups get accurate news reports "lest they turn to short-wave propaganda from enemy countries."

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Program News: Sterling Products has renewed "Are You a Missing Heir?" effective Jan. 6 over 74 CBS stations. . . . Audience participation shows will start on NBC short wave Dec. 30 when a weekly Spanish amateur hour will be started. . . . Johns-Manville will sponsor Elmer Davis over 56 CBS stations Monday through Friday 8:55-9 P.M. starting Dec. 29.

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The NBC radio recording division yesterday cut its 1,000th record.

8 CBS Serials Are Renewed for Year

CBS yesterday received renewals for eight of its Monday through Friday daytime serials, five from Procter & Gamble and three from Colgate-Palmolive-Peet. All renewals are for one year.

P. & G. renewed "Goldbergs" over 42 stations; "Road of Life," 25 stations; "Life Can Be Beautiful," 53; "Women in White," 52, and "Story of Mary Marlin," 20 stations. These are in addition to "Vic and Sade" which will start on the network next Monday over 48 stations.

Colgate - Palmolive - Peet renewed "Women of Courage," 61 stations; "Myrt and Marge," 79, and "Stepmother," 54.

K. C. Club Tourney Aids City Milk Fund

KANSAS CITY, Dec. 23. — The eighth annual milk fund bowling tournament sponsored by the Variety club, the Kansas City *Star* and the bowling alley proprietors ended last Sunday and hundreds of underprivileged school children are assured of sufficient milk to keep them in good health for the remainder of the school year.

The amount of money raised last year in Kansas City was $3,108 and in Kansas City, Kan., the amount was $626. The 1941 total for the two cities will approximate $3,800. Frank Hensler was the general chairman for the event and Fred Meyn was the chairman for the Kansas City, Kan., tournament.

Settle Krimsky Suit

Suit of John Krimsky and Gifford Cochran, Inc., for $258,582 damages against United Artists Corp. was settled and discontinued yesterday in the U. S. District Court. Plaintiffs, as producers of the film, "Emperor Jones," had charged United Artists with violating a distribution contract made in 1934.

NBC Building D.C. Television Station

WASHINGTON, Dec. 23.—NBC today was granted a construction permit to build a television station here by the FCC. The permit calls for completion of the station by March 1, 1942. The station will operate on Channel No. 2 with an antenna atop the Wardman Park Hotel.

NBC Defense Shows To Foreign Stations

At the request of Mayor LaGuardia, director of civilian defense, NBC has agreed to make available to all foreign language stations throughout the country, the text of two defense programs now broadcast daily over WEAF and WJZ.

These programs, five minutes each, are prepared by Martin Hoade of the NBC news staff from official Government sources and are designed to aid the various civilian defense groups as well as the general civilian population.

Scripts will be sent to the foreign language stations as soon as they are prepared.

Retain Managers Of GCS Theatres

CHICAGO, Dec. 23.—Jack Norris will continue as manager of the Portage and Leo Brown of the Admiral when B & K takes over three GCS Circuit houses here Jan. 1, Walter Immerman, B & K general manager, said today.

A new manager will be appointed for the Drake, succeeding Robert Templer. The three houses will be added to Abe Platt's supervision.

Columbia Gives Bonus

Columbia will give a $25 defense bond as a Christmas bonus to all home office and exchange employes who have been with the company six months or more and whose salaries do not exceed $50 weekly.

Russian Picture in Yorkville Theatre

The Casino Theatre, in New York's Yorkville section, predominantly German, and which dropped German films after the declaration of war, will reopen tomorrow with a Russian film, "'General Suvorov," and short subjects pertaining to the Allied cause in the war. It is the first program in the theatre's new policy of offering films "with an inspiration to exert fullest efforts in the national defense."

46 Stores Report Use of Radio Ads

PITTSBURGH, Dec. 23.—Exactly half of the 92 department stores in 56 key cities reported use of radio for advertising, according to a survey recently completed by the Retail Training Bureau of the University of Pittsburgh. Of the 46 stores not using radio now, 26 reported using it in the past.

Regularly scheduled spot announcements were found to be the most popular type employed, followed by shopping programs, news and recordings, in that order. Of the 79 programs on the air when the survey was made, 15 were continuing for 13 weeks or less, and 16 for five years or more.

Among the 46 stores reporting, two said they received greater returns from radio as compared with other media, 27 said there was less return, three said it was equal, and 14 replied "don't know" or made no reply. Of 46 not using radio, 20 replied it was because time rates are excessive.

Twelve stores use more than one station and 34, only one. Advertising is restricted to specific items in 82 per cent of the programs, according to the survey. The six leading classifications of merchandise advertised on the air were electrical appliances, women's accessories, inexpensive dresses, home furnishings, furniture and furs. Medium price lines were used most successfully by 63 per cent, high price lines by 24 per cent and low price by 13 per cent. Only 69 per cent of the stores attempted to check the results from radio ads.

Emergency Group Formed in Chicago

CHICAGO, Dec. 23.—An amusement emergency committee composed of John Balaban, Jack Kirsch, Eddie Silverman and James E. Coston held a meeting today at the Blackstone Hotel to formulate plans for complete coordination of amusement here in preparation for any emergency. Van Nomikos was elected chairman of the Red Cross drive with a quota of $31,000. All amusements were represented.

This movement is strictly aside from the Amusement and Recreational Division of the Chicago Defense Committee but may work in as part of that group later.

Charity Meet Jan. 5

HOLLYWOOD, Dec. 23.—Edward Arnold, chairman of the industry's permanent charities committee, has set Jan. 5 for a meeting of studio heads, guild representatives and others, to outline the industry's perticipation in the Red Cross emergency campaign.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 125 NEW YORK, U.S.A., FRIDAY, DECEMBER 26, 1941 TEN CENTS

Loew's Sues Operators On Trust Charge

Suit Against Local 306 Filed Wednesday

Alleged efforts by Operators Union, Local 306, to gain complete control over all projection booths in New York City and to compel use of IATSE members for film deliveries in the city, resulted Wednesday in the filing by Loew's, Inc., of an anti-trust suit against the Local in Federal Court.

The complaint charges that the union illegally seeks to compel Loew's to discontinue servicing all theatres in the metropolitan area which do not employ 306 projectionists, and that the Local is demanding that 306 projectionists not be required to project film delivered except when such deliveries are made by IATSE members. Loew's asks for an injunction and a declaratory judgment.

Loew's sets forth that it employs

(*Continued on page 4*)

Patron Protection Planned in Capital

WASHINGTON, Dec. 25.—Committees will be named tomorrow to make specific plans for protection and guidance of the local theatre public in time of blackout or air raid.

This was decided at a meeting of owners and operators of all Washington theatres, film and legitimate, with John J. Payette presiding. Payette is general zone manager for Warner theatres and assistant air raid warden for theatres here.

At the meeting Col. Lemuel Bolles, civilian defense commissioner, stressed "speed above all things in the training

(*Continued on page 4*)

Service Today for Hall, Reel Pioneer

WASHINGTON, Dec. 25.—Funeral services will be held at the Hines Funeral Chapel here today for Ray L. Hall, Chief of Newsreel Liaison Bureau of Public Relations Department of the War Department, who died at Doctor's Hospital on Tuesday of pneumonia. Hall was 62. Burial will be in Kentland, Ind., his birthplace. He is survived by his widow, three sons and a daughter.

Hall was educated at Indiana University and entered newspaper work in

(*Continued on page 4*)

1,587 Pickups from 43 Foreign Points By CBS During 1941

With 1,587 short wave pickups from 43 points, and 2,536 sustaining news broadcasts which occupied 357 hours and 48 minutes, the CBS news department had one of its most hectic years, according to the annual network summary released over the holiday. Highlight of the year was Cecil Brown's eyewitness account of the sinking of the *Repulse* and *Prince of Wales*.

The CBS talks department scheduled 441 speeches during the year for 184 hours of broadcasting, exclusive of those arranged by the special events department. National defense was, of course, a major activity and many important programs were built specially to aid the various phases of the defense efforts.

During the year, CBS signed 74

(*Continued on page 10*)

Empire State Union Reelects Officers

All officers of Empire State M. P. Operators Union have been reelected for additional two-year terms, it was announced. Formal induction into office will take place at a dinner at the Hotel Claridge, Jan. 6. The administration slate was elected by a ratio of three to one in the voting.

Those reelected were: Abraham Kindler, president; Nicholas Pitta, vice-president; Leon Diamondstein, financial secretary-treasurer; William Santarsero, recording secretary, and Peter Elarde, sergeant-at-arms.

EXHIBITORS VOTE ROONEY CHAMPION

Wins 3rd Consecutive Year in M. P. Herald-Fame Poll; Gable Is Second; Autry Leads Western Players

Mickey Rooney, for the third consecutive year, was voted the top money making box-office champion by the combined vote of circuit and independent exhibitors of the United States and Canada in the annual *Motion Picture Herald-Fame* poll to determine "The Biggest Money Making Stars of 1941."

The first 10 stars, as evaluated by exhibitors in terms of their drawing power, together with the percentage of possible votes each drew, in the order of their ranking, are:

1.	Mickey Rooney	51
2.	Clark Gable	48
3.	Abbott & Costello.....	35
4.	Bob Hope	33
5.	Spencer Tracy	31
6.	Gene Autry	21
7.	Gary Cooper	19
8.	Bette Davis	18
9.	James Cagney	16
10.	Judy Garland	13

Rooney's record of three consecutive first places is exceeded only by Shirley Temple's, who was winner for four years straight. Marie Dressler, who won twice and Will Rogers, who was the leading star in 1934, were the only other winners in the 10 polls.

Gable, by placing second, became

(*Continued on page 4*)

First Step in Split of NBC Is Approved

WASHINGTON, Dec. 25.—First major step in the divorcement of NBC's Red and Blue networks was approved by the FCC yesterday when it granted consent to the voluntary assignment of licenses of four key stations in the Blue network.

The commission stated that it was acting on the "stated willingness of the National Broadcasting Co. and the Radio Corp. of America" to dispose of one of its networks.

The FCC announced that licenses for WJZ, New York; WENR, Chicago, and KGO, San Francisco, would

(*Continued on page 10*)

'Hey Rube' Organization Plans to Incorporate as National Group

Leaders of the show world have decided to incorporate the name of "Hey Rube," traditional rallying cry of show business, as a national organization, for the benefit of the men and women in show business and to unite them in the interest of the country's defense under that slogan. The list of charter members includes: George J. Schaefer, president of RKO; Barney Balaban, president of Paramount; Will H. Hays; E. V. Richards, head of the Saenger Circuit; Joseph Hazen, of counsel for Warners; William Morris and Abe Lastfogel, originators of the "Hey Rube" idea, and heads of the William Morris Agency; Leo Spitz, industry counsel; Edwin L. Weisl, of counsel for Paramount; Robert Christenbury, managing director of the Hotel Astor, and head of the Broadway Association; T. J. Connors, personal assistant to Sidney R. Kent; Max A. Cohen, president of New York Allied; Nicholas M. Schenck, president of Loew's; Sam Shain and Gordon Youngman, of counsel for RKO. Incorporation papers already have been drawn by Youngman at Schaefer's instructions.

The "Hey Rube" idea got under way last Wednesday when the William Morris agency announced the slogan to the trade in advertisements in the trade journals. Campaign buttons will form the basis of financing the organization. These buttons will be sold and the funds devoted to the men and women of show business for defense of the country.

Executives Accept Unity Appointments

CHICAGO, Dec. 25.—Endorsements of the program and aims of the M. P. Industry Conference Committee were given by leading industry executives in accepting appointments to serve on subcommittees. The acceptances were received here by Jack Kirsch, temporary chairman of the committee.

George J. Schaefer, RKO president, in accepting the temporary

(*Continued on page 4*)

Gilliam Gets RKO Chicago Sales Post

CHICAGO, Dec. 25.—Tom Gilliam will become sales manager of the RKO branch here Monday to succeed Sam Gorelick, who has been promoted to branch manager. Gilliam was manager of the Warner exchange here for years but was transferred to Atlanta. Recently he returned to Chicago and has been a member of the Paramount sales staff.

Careful Censor

Mexico City, Dec. 25.—The Federal Film Supervising and Censoring Department has ordered deleted from the newest Mexican picture, "La Gallina Clueca" ("The Brooding Hen"), taken from an Argentinian stage comedy of the same name, the scene of a doctor's office in which a chipped movable wash basin was shown.

The department considered that shabby furniture in a doctor's office would prompt unfavorable comment abroad about the tidiness of Mexican physicians.

Writer Guild Names Defense Committee

HOLLYWOOD, Dec. 25.—The Screen Writers Guild yesterday announced names of members of its war emergency committee to cooperate with the War Activities Committee-M. P. Industry.

Members of the committee are: Ralph Block, chairman; Sheridan Gibney, Sidney Buchman, Charles Brackett, John Larkin, Mary McCall, Allen Rivkin, Robert Rosson and Harry Tugend.

The following were named chairmen of local wartime committees by the Los Angeles Theatre Defense Bureau: Tom W. Baily, public relations; Maurice M. Cohen, ballrooms; Benjamin Decker, bowling alleys; Marco Wolff, film exhibition; Nat Holt, communications; Clayton T. Lynch, film distribution; Rodney Pantages, panic prevention; Robert H. Poole, coordination with fire and police departments; Gene Towne, film production, and Charles Prickett, stage presentations.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
"H. M. PULHAM, Esq."
An M.G.M Picture with
HEDY LAMARR • ROBT. YOUNG
RUTH HUSSEY
With the Music Hall's
Great Christmas Stage Show
1st Mezzanine Seats Reserved. Circle 6-4600

BING CROSBY MARY MARTIN
in Paramount's
"BIRTH OF THE BLUES"
IN PERSON ORRIN TUCKER and Band *featuring* WEE BONNIE BAKER
PARAMOUNT TIMES SQUARE

"Remember the Day"
Claudette Colbert John Payne
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

RKO PALACE B'WAY & 47th St.
'Look Who's Laughing' Edgar Bergen-Chas. McCarthy
'All that Money Can Buy' Edward Arnold-Anne Shirley

Personal Mention

BURTON ROBBINS, son of HERMAN ROBBINS, National Screen Service president, was married yesterday to GLADYS KAPLAN of New Rochelle. The couple left for a two-week honeymoon in New Orleans.

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ROBERT RISKIN has arrived in New York from London and Lisbon on what was probably the last American ship sailing from the latter port for the war period.

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JOHN GRIERSON and Ross McLEAN of the National Film Board, Ottawa, were Christmas visitors here.

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JEANETTE BERLINER, Republic booker in New Haven, will leave for a short Florida vacation next week.

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T. F. O'TOOLE, BEN LOURIE and HY LEVINE attended the Bar Mitzvah of ALLAN, son of HARRY OLSHEN, Columbia Boston salesman, Saturday. The reception was at Toby's Restaurant, Brighton, Mass.

FRANCIS L. HARLEY, 20th Century-Fox managing director for Britain, left for Philadelphia Wednesday to spend the holidays with his family there.

•

WILLIAM F. RODGERS will leave for Florida today on a delayed holiday.

•

ANTONIO DE G. OSIO, operator of the Olimpia Theatre, Mexico City, will leave New York tomorrow after a two weeks' visit here with MRS. OSIO.

•

HAL ROACH is scheduled to arrive from the Coast by train on Monday.

•

EARL WRIGHT, 20th-Fox salesman in New Haven, will spend a week in Waterville, Me., beginning today.

•

ADOLPH JOHNSON of the Strand, Hamden, Conn., and MRS. JOHNSON spent Christmas with their son, ROBERT, on active duty at Jacksonville.

Mexican Theatres Aid First Blackout

MEXICO CITY, Dec. 25.—Theatremen of Tampico got their first experience in Mexico of a blackout one night recently when the oil port was plunged into darkness for an hour by orders of the military commander. The experiment was a complete success and the theatremen were praised for their cooperation.

The Government has not as yet announced blackouts for any other Mexican cities. It is expected that these experiments will not be made here or in any of the other larger communities but will be confined to the ports.

Frisco Operators Win Rise in Wage

SAN FRANCISCO, Dec. 25.—The projectionists' local here has won a five per cent wage increase, effective Jan. 1, from first run theatres, over the present scale of $2.10 per hour. Negotiations with operators of subsequent run houses are being continued.

Theatrical Employes Union, No. 18, is negotiating with operators for a 10 per cent wage increase for house employes of all local theatres.

Heineman Gives Party

William J. Heineman, Universal assistant general sales manager, will give a delayed Christmas party for orphans from the St. Joseph School for Girls at his Forest Hills home tomorrow.

Plan Charity Matinees

NEW HAVEN, Dec. 25.—Fishman Theatres reports that the Rivoli, West Haven, and Howard here will have annual canned goods matinees in cooperation with the Salvation Army and the neighborhood church, respectively.

SPG Party Tomorrow

The Screen Publicists Guild Auxiliary will hold a defense party tomorrow night at the New York Newspaper Guild Club. Uniformed men will be admitted free.

'Dumbo' Is Toronto Hit, Taking $11,500

TORONTO, Dec. 25.—"Dumbo" was the pre-Christmas hit here at the Imperial with $11,500. "All That Money Can Buy" grossed $8,000 at Shea's Theatre.

Estimated receipts for the week ending Dec. 21:

"Poison Pen" (British)
"Moonlight in Hawaii" (Univ.)
EGLINTON—(1,086) (18c-30c-48c-60c) 6 days. Gross: $3,000. (Average, $4,500)
"Dumbo" (RKO)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $11,500. (Average, $9,000)
"H. M. Pullham, Esq." (M-G-M)
"Miss Polly" (U.A.)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $7,800. (Average, $9,000)
"All That Money Can Buy" (RKO)
SHEA'S—(2,480) (18c-30c-42c-60c-90c) 6 days. Gross: $8,000. (Average, $9,000)
"One Foot in Heaven" (W.B.)
"Target for Tonight" (W.B.)
TIVOLI—(1,434) (12c-18c-30c-48c) 6 days. Gross: $3,000. (Average, $3,900)
"Unholy Partners" (M-G-M)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $7,000. (Average, $9,000)

'York' Omaha Best Garnering $7,200

OMAHA, Dec. 25.—Theatre grosses started an upward climb after dropping during the first days of the war. "Sergeant York" pulled $7,200 at the Paramount in a second week.

Estimated receipts for the week ending Dec. 17-18:

"Our Wife" (Col.)
"Ellery Queen and the Murder Ring" (Col.)
BRANDEIS — (1,200) (30c-44c) 7 days. Gross: $4,100. (Average, $4,000)
"H. M. Pulham, Esq." (M-G-M)
"Nine Lives Are Not Enough" (W. B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,600. (Average, $6,000)
"I Wake Up Screaming" (20th-Fox)
"World Premiere" (Para.)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $6,300. (Average, $7,000)
"Sergeant York" (W. B.)
PARAMOUNT—(3,000) (40c-55c) 7 days, 2nd week. Gross: $7,200. (Average, $6,000)

Benjamin Goetz Dies

CINCINNATI, Dec. 25.—Benjamin F. Goetz, 73, father of Joseph Goetz, assistant division manager for RKO Theatres here, died yesterday after a long illness. He was at one time connected with the Strand in Dayton, O. A daughter also survives.

Suspend Licenses Of Two Ky. Houses

FRANKFORT, KY., Dec. 25.—For the first time since the state's amusement tax law was passed in 1936, the State Tax Commission has suspended the permits of two Kentucky theatres.

They are the Dixie Theatre of Olive Hill and the Mills Theatre of Morehead, both owned by L. H. Mills, Ward Oates, Assistant Revenue Commissioner, said. The suspension starts Jan. 2.

The tax commission sustains charges that the theatres failed to keep written records, did not tear all admission tickets in half after they were sold and failed to produce their records for Revenue Department representatives as required by law. Under the amusement tax law, all theatres are required to obtain state permits. There is no charge for the permits, but the theatres must post $1,000 bonds, Oates said.

'Heaven' $15,200; Newark Gross Off

NEWARK, Dec. 25.—Shopping and war news combined to result in slow business, with only "One Foot in Heaven" at the Branford drawing, with $15,200.

Estimated receipts for the week ending Dec. 16-18:

"One Foot in Heaven" (W. B.)
"Swing It, Soldier" (Univ.)
WARNERS' BRANDFORD—(2,840) (30c-44c-55c-65c-75c), 7 days. Gross: $15,200. (Average, $14,000)
"Smilin' Through" (M-G-M)
"Three Girls About Town" (Col.)
LOEW'S STATE—(2,589) (30c-44c-55c-65c-75c) 7 days. Gross: $13,500. (Average: $13,800)
"Week-End in Havana" (20th-Fox)
"Man at Large" (20th-Fox)
RKO PROCTOR'S—(3,389) (33c-44c-55c-65c-75c) 7 days, 2nd week. Gross: $14,800. (Average, $14,500)
"Night of January 16" (Para.)
"Glamour Boy" (Para.)
PARAMOUNT-NEWARK—(2,200) (30c-44c-55c-65c-75c) 7 days. Gross, $14,000. (Average, $14,500)

Norfolk Exhibitors Raise $1,200 Fund

NORFOLK, Va., Dec. 25.—More than $1,200 was raised for the local Christmas Fund by the Theatre Managers Association here. They sponsored an entertainment program at the Norva Theatre, consisting of the film, "Accent on Love," and 20 acts of amateur vaudeville.

Pierre Boulogne, manager of the Norva, was chairman of the show committee.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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SOCK!*



that EXTRA something that makes a winner belongs–in the motion picture industry–exclusively to

WARNERS

*This particular sock is from Humphrey Bogart's new smash "ALL THROUGH THE NIGHT". There is, however, the same box-office impact in "THEY DIED WITH THEIR BOOTS ON", "THE MAN WHO CAME TO DINNER", "KINGS ROW" and every other picture Warners make!

NEW SEASON! WB WARNER BROS. NEW BOXOFFICE HIGHS!

Rooney Voted Champion in Exhibitor Poll

(Continued from page 1)

the only star to be placed among the leading 10 in all 10 years of the poll. The leaders are determined by the combined vote of both independent and circuit exhibitors. Tabulating the vote separately, Gable was in first place among circuit exhibitors, followed by Rooney, Abbott & Costello, Hope, Tracy, Cooper, Miss Davis, Autry, Cagney and Miss Garland, in that order.

Among independent exhibitors, Rooney was first, followed by Gable, Tracy, Abbott & Costello, Hope, Autry, Cooper, Cagney, Miss Davis and Miss Garland.

Autry led the Western stars for the fifth consecutive year. He was first in the combined votes as well as the separate groupings by circuit and independent exhibitors. The 10 top Western money making stars, with their respective percentages of possible votes, were Autry, 67; Bill Boyd, 57; Roy Rogers, 39; Charles Starrett, 20; Smiley Burnette, 19; Tim Holt, 17; Johnny Mack Brown, 16; Three Mesquiteers, 15; Bill Elliott, 14, and Tex Ritter, 10.

Significant in the voting was the comedy trend which placed Abbott & Costello and Hope in the third and fourth positions, respectively. The comedy team made their first appearance among the top 10 while Hope moved up from 18th position last year. The remaining eight are consistent money-makers, all having placed in former polls. Hope was in first place in the MOTION PICTURE DAILY-*Fame* "Champion of Champions" radio poll.

Executives Accept Unity Appointments

(Continued from page 1)

chairmanship of the committee on protection of the industry from outside attacks, wrote Kirsch: "I want to take this opportunity of complimenting you on the magnificent effort of your group, the smoothness of the procedure and the general approach to the problem which means so much to all of us and our industry."

Schaefer also accepted appointments to the sub-committees on Articles 1 and 4 of the all-industry program.

Spyros P. Skouras, in accepting the temporary chairmanship of the subcommittee on industry taxation, Article 1, wrote: "I am in hearty accord with the plan of action adopted and believe that with the proper cooperation of the appointed committees it will result in greater efficiency within the ranks of the industry as well as the promotion of its best interests without."

Leonard H. Goldenson, head of Paramount theatre operations, who was appointed to serve on subcommittees for Articles 1 and 4, wrote: "I think you gentlemen are on the right track . . . and I am ready to help in every respect."

Harry M. Kalmine, Warners theatre head, wrote that he would be "very happy to serve" on the subcommittee on taxation.

Reviews

"The Shanghai Gesture"

(*Arnold Pressburger—United Artists*)

THE screen version of the John Colton play which will be remembered as a sensational stage "shocker" in its day is bereft of the more obvious luridness of the original, but in shedding some of its native sordidness it has neglected or failed to replace what was discarded with strengthening screen factors which have so often leavened a motion picture effort of this kind.

"Mother Goddam", played by Ona Munson, and her house of assignation, in the film become "Mother Gin Sling" and an elaborate gambling establishment with unmistakable sidelines; while Poppy, played by Gene Tierney, becomes the victim of her gambling fever rather than of man's lust. Those are the basic concessions made by the film to the audience of the screen. There remain murder, principals without character, wit or morality and, therefore, without claim to audience sympathy, and the tawdriness of a tale lived and told largely within the confines of a "joint," notwithstanding the evening clothes which populate it.

It may be said, however, that Producer Arnold Pressburger's film does make sin unattractive. Josef von Sternberg directed.

In brief, the story is that of Poppy who comes to Mother Gin Sling's place in search of a thrill and becomes a victim of its vices and her own weakness. Her wealthy father, played by Walter Huston, endeavors to get her away from the place and from Shanghai and learns that Mother Gin Sling is the Chinese girl he married in his youth and the mother of his daughter. Informed of this, but unable to break Poppy's fascination for Victor Mature, a hanger-on at the dive, Mother Gin Sling shoots the girl.

Running time, 100 minutes. "A."* SHERWIN A. KANE

**"A" denotes adult classification.*

"Forbidden Trails"

(*Monogram*)

AFTER hibernating in the penitentiary for some time, two desperados emerge with intentions of making even the score with U. S. Marshal Buck Jones, who sent them away. Marshals Tim McCoy and Raymond Hatton come to the aid of their colleague with the result that the two ex-cons cease to be and attempts of their partners of the underworld to rob stage shipments are likewise unsuccessful.

The Western, another of the "Range Busters" series from Monogram, should go over well enough. In some spots the writers went slightly overboard in melodrama, as in extricating the trio from difficult situations, but aside from this the yarn is acceptable. It has all and more of what is required in action and generally moves along after the opening sequences at a good clip. Moreover, the names of Jones, McCoy and Hatton have marquee value.

Others in the cast are Tristam Hatton, Charles King, Glen Strange, Dave O'Brien and Christine McIntyre. Robert N. Bradbury directed and Scott R. Dunlap produced. The photography is good.

Running time, 67 minutes. "G."* EUGENE ARNEEL

**"G" denotes general classification.*

Service Today for Hall, Reel Pioneer

(Continued from page 1)

Indianapolis and Chicago. For many years he was with Hearst's International News Service in Chicago. When Edgar B. Hatrick organized the Hearst-Selig Weekly, newsreel to compete with Pathe Weekly, Hall was named editor. The connection continued into the World War period.

Hall subsequently was named editor of Screen Telegram, wartime newsreel organized by Terry Ramsaye for the Mutual Film Corp., and in turn with Capt. G. McLeod Baynes, Charles Urban and Ramsaye, the newsreel known as "Kinograms." Later Hall was editor of "Fox Varieties," and then went to Pathe News as editor, succeeding Emanuel Cohen, who went to Paramount News.

In association with Marvin McIntyre, Washington representative of Pathe News, Hall had much to do with the screen appearances of Gov. Franklin D. Roosevelt of New York.

Patron Protection Planned in Capitol

(Continued from page 1)

of theatre employees to take care of theatre audiences in time of air raids and blackouts. The auditoriums of the theatres themselves are the safest place besides one's home or air raid shelter," he said.

Payette asserted that a certain number of theatre personnel will be given courses in civilian defense training and they, in turn, will impart their knowledge to other members of their respective organizations.

Form Louisville Firm

LOUISVILLE, KY., Dec. 25.—Scoop Louisville Theatre, Inc., Louisville, capitalized at $24,000, has been granted a charter to operate theatres and other amusement places and conduct a theatrical booking agency. Incorporators were Betty Myers, Isidor Block and Jacob Lichtenstein, all of New York.

Loew's Sues Operators On Trust Charge

(Continued from page 1)

306 members in all its 65 houses, its home office and exchange, that employes in the shipping, poster and inspection department are members of Film Exchange Employes Union, Local B-51 of the IATSE, and employes in the developing department are members of Local 702, IATSE. Local B-51 men are under a contract which expired Nov. 30 but are continuing to work under the same terms.

Contract Expired

On Aug. 31, 1940, the complaint continues, the contract between 306 and Loew's expired. On Dec. 11 of this year, during negotiations for renewal of the contract, the complaint states, Loew's received a letter from the union demanding the fulfillment of three conditions as a prerequisite to a new contract. These demands allegedly were that Loew's supply films only to exhibitors that employ 306 men; that 306 men be not required to handle films not transported by IATSE members, and that films be delivered by IATSE members only. Loew's ships films through express, parcel post and common carriers.

Must Comply

The complaint further states that the union declared that Loew's must comply immediately with these demands or a strike would be called at once in the home office, the New York exchange, Loew's metropolitan theatres, the Culver City studios, and that Local B-51 would join the strike.

All major companies will face similar demands, according to advice received by Loew's from the IA and 306 officials, the complaint states. Loew's points out that there are 300 independent theatres in New York serviced by it, of which about 20 per cent do not employ 306 men. If Loew's is prevented from servicing these independents, it is claimed, the company will lose $400,000 in the current season. In addition, a closing of the 65 Loew houses will mean a loss of revenue totalling $400,000 weekly, it is alleged.

Loew's also asked for a declaratory judgment stating that the demands are illegal, in restraint of trade, that such contract would violate the consent decree and would require Loew's to interfere with the internal management of independent exhibitors.

Nine Circuit Deals Are Closed by PRC

Nine circuit deals for 1941-'42 product have been closed recently by Producers Releasing Corp., Arthur Greenblatt, general sales manager, announced.

The deals include Interstate Circuit, Texas Consolidated Theatres and Jefferson Amusement Co., Dallas; Intermountain Theatres, Salt Lake City; Epstein Circuit, Omaha; Fred Coleman Circuit, Atlanta; Affiliated Theatres, Philadelphia, and Van Nomikos Circuit, Chicago.

New York first run for P.R.C.'s "Swamp Woman" has been set for the Central Theatre, starting today.


Hey!
LOOK WHO KAY'S GOT WITH HIM!
-in the happiest musical laugh hit you ever had to yell about!

Kay and his gang in a comedy heat-wave . . . kidding the tights off Shakespeare and beating the laughs out eight to the bar! . . . The Old Professor's in the groove . . . Ginny's on the beat . . . John's on the lam, and Lupe's on the loop for the tops in fun for '42 and the market's biggest money chance for you!

KAY KYSER *in* PLAYMATES

with

JOHN BARRYMORE • LUPE VELEZ
GINNY SIMMS • MAY ROBSON • PATSY KELLY
PETER LIND HAYES and KAY KYSER'S BAND

featuring

Harry Babbitt • Ish Kabibble • Sully Mason

Screen Play by James V. Kern



5 TOP TUNES NOW SWEEPING THE AIRWAVES:

"Humpty-Dumpty Heart"
"How Long Did I Dream?"
"Thank Your Lucky Stars and Stripes" • "Romeo Smith and Juliet Jones"
"Que Chica"

Produced and Directed by **DAVID BUTLER**

RKO RADIO PICTURES

Montreal Swindle

Montreal, Dec. 25

SOMETHING new and ingenious in the way of deceiving theatre cashiers occurred at the Rosemount Theatre here during a rush period the other day.

A middle-aged man wearing dark glasses approached the window hurriedly, thrust a $10 bill across the counter, and received a ticket and $9.25 in change. When the cash was counted, it was discovered that the man had split a $10 bill and a dollar bill, pasting the front of the dollar bill to the back of the $10 bill.

'Foxes' at $11,800 Big in Milwaukee

MILWAUKEE, Dec. 25.—"The Little Foxes" and "Parachute Battalion" took $11,800 at the Warner. The combination of the "Folies Bergere" on the stage and the film "South of Tahiti" drew $12,100 at the Riverside.

Estimated receipts for the week ending Dec. 17-18:

"Swamp Water" (20th-Fox)
"Three Girls About Town" (Col.)
PALACE—(2,400) (44c-55c) 7 days. Gross: $4,000 (Average, $4,000)
"Shadow of the Thin Man" (M-G-M)
"Rise and Shine" (20th-Fox)
STRAND—(1,400) (44c-65c) 7 days. Gross: $1,500 (Average, $1,500).
"H. M. Pulham, Esq." (M-G-M)
"Tarzan's Secret Treasure" (M-G-M)
WISCONSIN—(3,200) (44c-55c) 7 days. Gross: $5,500. (Average, $5,500)
"South of Tahiti" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: "Folies Bergere." Gross: $12,100 (Average, $6,500)
"The Little Foxes" (RKO)
"Parachute Battalion" (RKO)
WARNER—(2,400) (33c-44c-55c) 7 days. Gross: $11,800. (Average, $4,500)

'Convoy' and McCoy Kansas City Leader

KANSAS CITY, Dec. 25.—In a week of generally slow business, "Burma Convoy" and Clyde McCoy and his orchestra on the stage of the Tower drew $8,000.

"Appointment for Love" (Univ.)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $1,900. (Average, $2,200)
"The Men in Her Life" (Col.)
"Secrets of the Lone Wolf" (Col.)
MIDLAND—(3,000) (30c-44c) 7 days. Gross: $6,000. (Average, $8,500)
"Skylark" (Para)
"The Night of January 16" (Para.)
NEWMAN—(1,900) (30c-44c) 6 days, 2nd week. Gross: $6,000. (Average: 7 days, $7,000)
"My Life With Caroline" (RKO)
"Underground" (W. B.)
ORPHEUM—(1,900) (30c-44c) 6 days. Gross: $3,500. (Average, 7 days: $5,000)
"Burma Convoy" (Univ.)
TOWER—(2,200) (30c-44c) 7 days. Stage: Clyde McCoy and Sugar Blues Orchestra. Gross: $8,000. (Average: $6,000)
"Appointment for Love" (Univ.)
UPTOWN—(2,000) (30c-44c) 7 days. Gross: $3,500. (Average: $4,000)
"Forced Landing" (Para.)
MAINSTREET—(3,500) (28c-44c) 7 days. Stage: "Everything Goes"—Loie Bridge. Gross: $5,000.

Chicago Clearance Case Off to Jan. 16

CHICAGO, Dec. 25.—The clearance case of the Annetta Theatre, Cicero, scheduled for hearing at the local arbitration board Dec. 30, has been postponed to Jan. 16.

A postponement of the Don Theatre's clearance case from Dec. 29 to Jan. 6 also was agreed upon.

Short Subject Reviews

"Information, Please, No. 3"

(RKO-Pathe)

The experts gather once more to answer the questions propounded by Clifton Fadiman, the interlocutor. In addition to the regulars, John Kieran, Franklin P. Adams and Oscar Levant, Cornelia Otis Skinner is present as guest. There is the usual wide variety of questions and high quality of the quips. As good as ever. Running time, 11 mins. Release, Dec. 12, 1941.

"A Quiet Fourth"

(Edgar Kennedy Comedies)

(RKO)

Edgar Kennedy sets out to celebrate a quiet Fourth of July holiday but things get very complicated before the day is over. Two of the neighbor's children join him on the picnic and pester him with fire crackers. Later, Kennedy chooses as picnic grounds the area which the Army has closed off for practise artillery fire. He thinks the explosions are fire works until some of the shells drop nearby. Running time, 15 mins. Release, Dec. 19, 1941.

"Crystal Flyers"

(Sportoscope)

(RKO-Pathe)

A Swedish ski patrol demonstrates the fundamental techniques of skiing. With excellent photography and and unusual approach, this skiing reel should hold interest. The demonstration is designed to teach the method of travelling cross-country over the snow, rather than the customary instruction of sportsmen. Running time, 8 mins. Release, Nov. 8, 1941.

"Stars Day Off"

(Picture People)

(RKO-Pathe)

The fans will enjoy seeing their favorites in informal costumes and enjoying themselves. On her day off, Joan Carroll learns to skate from Jack Hamory. Shirley Ross, Frances Langford, Felix Mills and Jon Hall go sailing. Joan Woodbury, Marian Marsh, Henry Wilcoxson and Eddie Norris spend their spare time sailing toy boats. Running time, 8 mins. Release, Dec. 5, 1941.

"Chef Donald"

(Disney-RKO)

Donald Duck bakes some waffles in accordance with instructions received by radio. He makes one error—putting rubber cement in the batter instead of baking powder. Donald is funny and there are lots of laughs. Running time, 7 mins. Release, Dec. 5, 1941.

"Monsters of the Deep"

(Broadway Brevities)

(Warners)

The noted fisherman, Michael Lerner, goes angling for deep water fish off the coasts of Chile and Peru. Although somewhat long for this type of reel there are plenty of exciting moments, particularly when a giant broadbill swordfish is landed. Included, too, are under-water shots of a battle between an octopus and a shark. Running time, 20 mins. Release, Dec. 13, 1941.

"Strange Testament"

(Passing Parade)

(M-G-M)

This story of the French immigrant, who became one of New Orleans' wealthiest merchants and landowners, and who provided in his will for gifts to be made to impoverished brides of the West Baton Rouge Parish because of his 50-year memory of an unfulfilled romance with such a girl, is an unusual and highly interesting subject. Its natural drama and the skillful manner in which it is told here makes it a substantial contribution to any program. Running time, 11 mins. Release, Nov. 15, 1941.

'Carl Hoff and Orchestra'

(Melody Masters)

(Warners)

Carl Hoff's band offers five musical numbers, including "I Could Use a Dream," "Blue Danube," "Dark Eyes," "I Knew That You" and "When Yuba Plays the Rhumba on the Tuba." There are some solo contributions from members of the band. The setting is the usual bandstand, but lighting and camera angles make for variety. Tuneful. Running time, 10 mins. Release, Jan. 3, 1942.

"The Brave Little Bat"

(Merrie Melodies)

(Schlesinger-Warners)

An altogether engaging character, a little bat who delivers all his sentences in one breath, is introduced in this color cartoon. Sniffles, the mouse, encounters the bat while seeking shelter from a storm. Very good, indeed. Running time, 7 mins. Release, Sept. 27, 1941.

Providence Gross Lowest in Months

PROVIDENCE, Dec. 25.—War jitters plus the usual pre-Christmas slump were responsible for the worst business this town has seen in months.

Estimated receipts for the week ending Dec. 17-18:

"Blues in the Night" (W. B.)
"The Smiling Ghost' (W. B.)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $6,000. (Average, $6,000)
"The Men in Her Life" (Col.)
"All American Co-Ed" (U.A.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $7,000. (Average, $11,000)
"The Maltese Falcon" (W. B.)
"Small Town Deb" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,100. (Average, $7,000)
"The Night of January 16th (Para.)
"World Premiere" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"Swing It Soldier" (Univ.)
FAY'S—(1,800) (20c-33c-44c) 7 days. Stage show. Gross: $5,200. (Average, $5,000)
"The Great Swindle" (Col.)
METROPOLITAN—(3,045) (30c-39c-55c-75c) 3 days. Stage show. Gross: $5,800. (Average, $5,000)
"H. M. Pulham, Esq." (M-G-M)
"Sing For Your Supper" (Col.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,400. (Average, $3,500)
"Nothing But the Truth" (Para.) (3 days)
"Ladies in Retirement" (Col.)
"The Little Foxes" (RKO) (4 days)
"Three Girls About Town" (Col.)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,500. (Average, $1,800)

Buys Des Moines House

DES MOINES, Dec. 25.—John Loveridge of Chicago, veteran theatre man, has bought the Casino Theatre here from Abe Frankle.

'Glamour' and Show $18,000, Philadelphia

PHILADELPHIA, Dec. 25.—Combination of war and Christmas shopping held the boxoffice down. At the Earle, "Glamour Boy" and a Hollywood revue on the stage drew $18,000.

Estimated receipts for the week ended Dec. 16-19:

"All That Money Can Buy" (RKO)
ALDINE—(1,460) (35c-41c-46c-57c-68c) 7 days. Gross: $7,500. (Average, $9,000)
"New York Town" (Para.)
ARCADIA—(600) (35c-46c-57c) 4 days, 2nd run. Gross: $1,100. (Average, $2,600)
"Shadow of the Thin Man" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $13,000)
"Glamour Boy" (Para.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Phil Regan, June Preisser, Peter Lind Hayes, Mary Healy, Anne Nagel, Barbara Pepper, Dick Baldwin, Charles Stuart & Dick Taylor and the Three Kim Loo Sisters. Gross: $18,000. (Average, $14,000)
"Flying Cadets" (Univ.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Reggie White, The Watson Sisters, Stanley Brothers, Jane Rydal & Roy Mare, Bobby Baxter, Gae Foster's Roxyettes and Billy Klaiss' orchestra. Gross: $6,200. (Average, $6,900)
"Rise and Shine" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $10,000. (Average, $13,000)
"They Died With Their Boots On" (W.B.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,000. (Average, $3,000)
"Sergeant York" (W.B.)
KEITH'S—(2,200) (46c-57c-75c) 6 days, 3rd week, 2nd run. Gross: $5,000. (Average, $4,500)
"Keep 'Em Flying" (Univ.)
STANLEY—(2,700) (35c-41-46c-57c-68c) 7 days, 2nd week. Gross: $11,000. (Average, $14,000)
"Swamp Water" (20th-Fox)
STANTON—(1,700) (35c-46c-57c) 7 days. 2nd week. Gross: $7,000. (Average, $4,500)

"Sundown" Beats Slump in St. Louis

ST. LOUIS, Dec. 25.—"Sundown" was the only film to overcome the war jitters, grossing $14,000 at Loew's.

Estimated receipts for week ending Dec. 18:

"Sundown" (U. A.)
"Niagara Falls" (U. A.)
LOEW'S—(3,162) (28c-40c-44c-56c) 7 days. Gross: $14,000. (Average, $13,000)
"Little Foxes" (RKO)
"Melody Lane" (Univ.)
AMBASSADOR — (3,154) (30c-40c-50c) 7 days, 2nd week for "Foxes." Gross: $5,500. (Average, $11,500).
"Confirm or Deny"
"New York Town" (Para.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $9,800. (Average, $11,000).
"Keep 'Em Flying" (Univ.)
"Look Who's Laughing" (RKO)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $3,700. (Average, $4,000).
"Swamp Water" (20th-Fox)
"Great Guns"
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $3,300. (Average, $2,600)

Indianapolis Club Has Child's Party

INDIANAPOLIS, Dec. 25.—The Indianapolis Variety Club and the local Paramount exchange joined in entertaining under-privileged children of the city at a Christmas party at the Indiana Theatre, a feature of which was the showing of "Mr. Bug Goes to Town."

The entertainment was in addition to an indoor circus at B. F. Keith's Theatre staged by Indianapolis Tent No. 10 for children earlier.

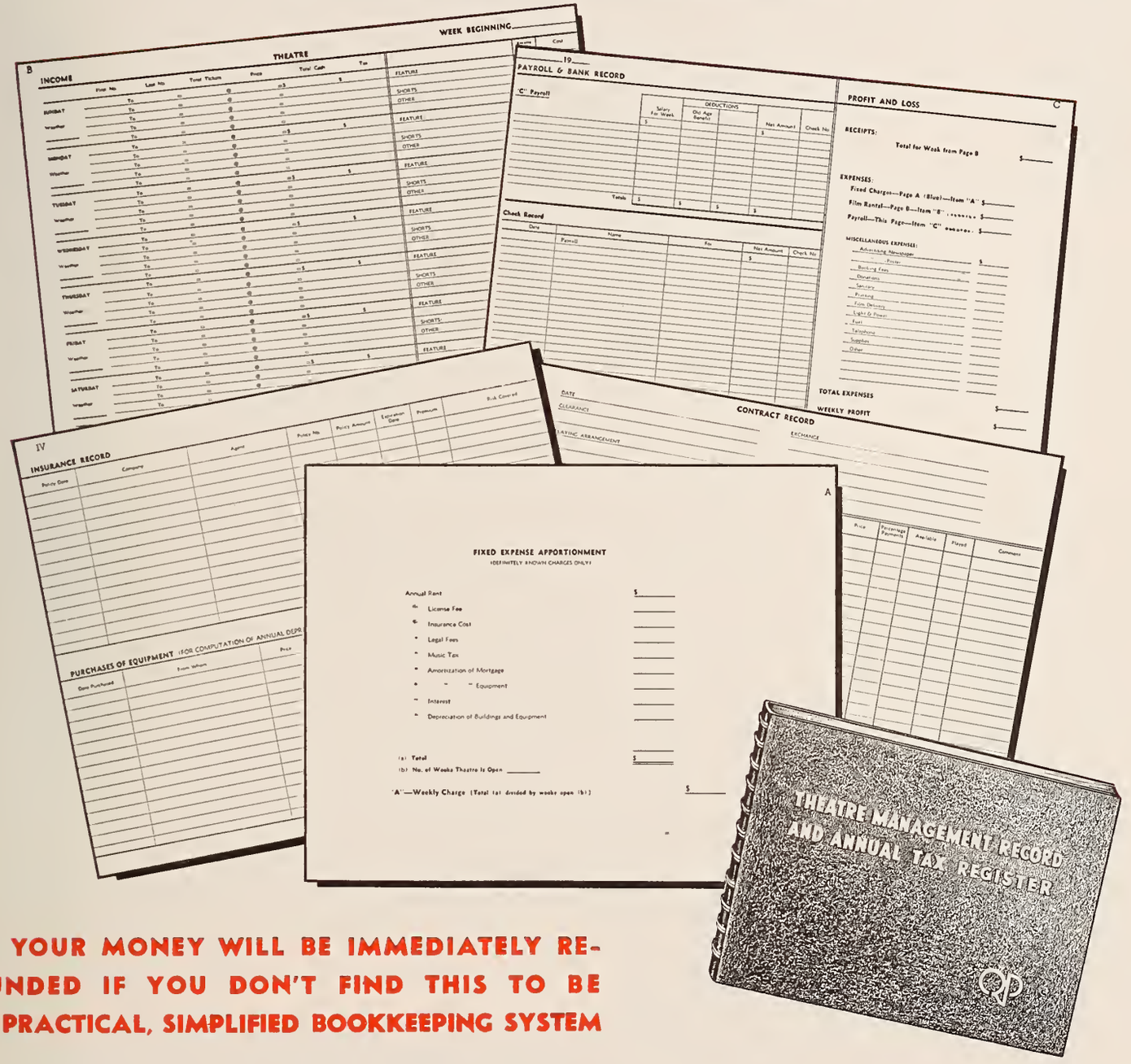
MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	MONO.	PARA.	PRC	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 28	Go West Young Lady (C) *P. Singleton* (1941-42)		I Killed That Man (D) *Ricardo Cortez* (1941-42)	Night of January 16 (D) 4106 *Preston-Drew* (1941-42)			Mexican Spitfire's Baby (C) 210 *Errol-Velez* (1941-42)	Cadet Girl (D) 220 Marry the Boss' Daughter (C) (1941-42)	Fiesta (M) *Armida* (Streamliner) (1941-42)	Keep 'Em Flying (C) 6001 *Abbott-Costello* (1941-42)	
Dec. 5	Sing for Your Supper (C) *Buddy Rogers* (1941-42)	H. M. Pulham, Esq. (D) 212 *Hedy Lamarr Young-Hussey* Kathleen (D) 215 *Shirley Temple Herb. Marshall*	Borrowed Hero (D) Lone Star Law Men (O) (1941-42)	Glamour Boy (C) 4110 *Jackie Cooper* (1941-42)	Swamp Woman 230 (D) *Ann Corio* (1941-42)	Tuxedo Junction (D) *The Weavers Frankie Darro* (1941-42)		Swamp Water (D) 218 *Huston-Brennan* (1941-42)		Sealed Lips (D) 6038 *William Gargan* (1941-42)	The Body Disappears (C) 111 *Lynn-Wyman* (1941-42)
Dec. 12	Honolulu Lu (D) *Lupe Velez* (1941-42)		Riot Squad (D) *R. Cromwell* (1941-42)		Billy the Kid's Round-Up (O) 258 (1941-42)	Red River Valley (O) 152 *Roy Rogers* (1941-42)	Dude Cowboy (O) 282 Weekend for Three (C) 211 (1941-42)	Confirm or Deny (D) 222 *Don Ameche Joan Bennett* (1941-42)	Hayfoot (C) (Streamliner) Love on the Dole (D) (1941-42)	The Wolf Man (D) *Claude Rains* (1941-42)	Steel Against the Sky (D) 112 *Alexis Smith* (1941-42)
Dec. 19	Harvard, Here I Come (C) Riders of the Badlands (O) (1941-42)	Design for Scandal (C) 213 *Rosalind Russell Walt. Pidgeon* Tarzan's Secret Treasure (D) 214 *J. Weissmuller M. O'Sullivan*	Road to Happiness (D) *John Boles* (1941-42)	Among the Living (D) 4108 *Albert Dekker* (1941-42)	Law of the Timber (O) 215 *Monte Blue* (1941-42)	West of Cimarron (O) 163 *3 Mesquiteers* (1941-42)		Perfect Snob (C) 223 *Lynn Bari Cornel Wilde* (1941-42)		Melody Lane (C) Road Agent (D) (1941-42)	
Dec. 25	Bedtime Story (C) *Fredric March Loretta Young* (1941-42)		Forbidden Trails (O) *Rough Riders* (1941-42)	Louisiana Purchase (M) *Hope-Zorina* (1941-42)	Blonde Comet (D) 116 *Robert Kent* (1940-41)	Mr. District Attorney in the Carter Case (D) (1941-42)	Playmates (C) 212 *Kay Kyser Band J. Barrymore* (1941-42)	How Green Was My Valley (D) 224 (1941-42)	Corsican Brothers (D) Dudes are Pretty People (C) (Streamliner) (1941-42)	Hellzapoppin' (C) *Olsen-Johnson* (1941-42)	You're in the Army Now (C) 113 *Jimmy Durante* (1941-42)
Jan. 2		Babes On Broadway (M) 216 *Rooney-Garland*	Freckles Comes Home (D) *Johnny Downs* (1941-42)		Texas Man Hunt (O) 251 *Bill Boyd* (1941-42)	Arizona Terrors (O) 174 *Don Barry* (1941-42)		Remember the Day (D) 226 *Colbert-Payne* (1941-42)		Don't Get Personal (C) *Hugh Herbert* (1941-42)	They Died With Their Boots On (D) 114 *Errol Flynn* (1941-42)
Jan. 9	Confessions of Boston Blackie (D) *Chester Morris* (1941-42)	Dr. Kildare's Victory (D) 217 *Lew Ayres*	Thunder River Feud (O) Here Come the Marines (D) (1941-42)		Lone Rider and Bandit (O) 263 *George Houston* (1941-42)	Lady for a Night (D) *Blondell-Wayne* (1941-42)		Blue, White and Perfect (D) 227 *Lloyd Nolan* (1941-42)		Jail House Blues (C) *Robert Paige* (1941-42)	All Through the Night (D) 116 *Bogart-Veidt* (1941-42)
Jan. 16	Blondie Goes to College (C) *Singleton-Lake* (1940-41)	Johnny Eager (D) 218 *Taylor-Turner*	Snuffy Smith, the Yard Bird (C) *Edgar Kennedy* (1941-42)			Man From Cheyenne (O) *Roy Rogers* (1941-42)	A Date With the Falcon (D) 213 (1941-42)	Gentleman at Heart (C) 228 *Romero-Landis* (1941-42)	Twin Beds (C) *Joan Bennett George Brent* (1941-42)	Paris Calling (D) *Randolph Scott* (1941-42)	
Jan. 23	Cadets On Parade (D) *F. Bartholomew* (1941-42)	Mr. and Mrs. North (C) 219 *Gracie Allen*	Man From Headquarters (D) *F. Albertson* (1941-42)		Duke of the Navy (D) 206 *Ralph Byrd* (1941-42)	Pardon My Stripes (D) *William Henry* (1941-42)	Four Jacks and a Jill (C) 214 *Ray Bolger* (1941-42)	Right to the Heart (D) 229 *Brenda Joyce* (1941-42)		North to the Klondike (D) *Brod. Crawford* (1941-42)	The Man Who Came to Dinner (C) 117 (1941-42)
Jan. 30	Close Call for Ellery Queen (D) *William Gargan* (1941-42)	The Bugle Sounds (C) 220 *Berry-Main*	Below the Border (O) *Rough Riders* (1941-42)		Today I Hang (D) 214 *Mona Barrie* (1941-42)	Cowboy Serenade (O) Code of the Outlaw (O) (1941-42)	Obliging Young Lady (C) 215 *Joan Carroll* (1941-42)	Son of Fury (D) 230 *Tyrone Power Gene Tierney* (1941-42)		Treat 'Em Rough (C) *Eddie Albert* (1941-42)	Wild Bill Hickok Rides (O) 118 *Bennett-Cabot* (1941-42)
Feb. 6	Man Who Returned to Life (D) *John Howard* (1941-42)		Law of the Jungle (D) *Manton Moreland* (1941-42)			A Tragedy at Midnight (D) *Lindsay-Howard* (1941-42)		Young America (C) 231 *Jane Withers* (1941-42)		Bombay Clipper (D) Jungle Fury (D) (1941-42)	
Feb. 13	The Lady Is Willing (C) Bullets for Bandits (O) (1941-42)		Frontier Law (O) *Tom Keene* (1941-42)		Broadway Big Shot (D) *Ralph Byrd* (1941-42)						

[*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses*

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War Work of Webs Proves Value: Sarnoff

"The facility and speed with which radio has rallied the nation from an 'unlimited emergency' to a wartime basis, emphasizes the value of network broadcasting as conducted in the United States," David Sarnoff, RCA president, declared yesterday in his annual year-end statement.



David Sarnoff

Sarnoff described the continuing musical, dramatic and comedy programs, as "revitalizing tonics, needed more than ever in the busy days and nights of war." He cited the instantaneous news reports from the Pacific and the eye-witness coverage of the war in Europe as revealing "as never before the flexibility with which broadcasting performs its service to the people." He said there are 900 broadcasting stations and more than 55,000,000 receivers in the country.

Declaring that wartime necessity prevents a detailed listing of technical improvements in radio, Sarnoff asserted that the developments during the war period will come to light in later years in much the same way that radio developed after the last war.

Employes Total 30,000

RCA's backlog of unfilled orders is 80 per cent for defense and only 20 per cent commercial, he said, with a total number of employes at an all-time peak of 30,000. Through radio communications the country is in direct contact with 49 other nations, independent of any other country or group of countries. Sarnoff pointed to the fact that when the U. S. Army went into Dutch Guiana it found a direct circuit already established, as was the case with the Philippines and Hawaii, and during 1941 a new circuit was opened permitting transmission of radiophotos from Moscow to New York in 13 minutes.

During 1941 the entire radio industry produced 13,000,000 receiving sets, more than 100,000,000 tubes, and 110,000,00 phonograph records, far ahead of the previous 1921 peak for the phonograph industry.

Sarnoff said he was proud that television could continue during the war and cited the new electronic microscope, an offshoot of television research, which made it possible to photograph the influenza virus for the first time. More than 1,200 students are enrolled in RCA Institute's classes and radio research is developing new metals and plastics.

He added that the huge all-out campaign by radio had aided in the sale of defense bonds and that radio had made entertainment available to the men at training camps to a far greater extent than was possible during the last war.

"All radio is enrolled and lined up to insure final victory," Sarnoff concluded.

Off the Antenna

WWRL will shift all foreign language programs from the day to evening hours, Robert A. Catherwood, general manager, announced Wednesday. The move will become effective when the station shifts to operations on 5,000 watts full time. WWRL now broadcasts approximately 40 hours of foreign language programs in eight different languages. According to Catherwood, the station does not believe it can compete on an equal basis in English with the big name evening shows while it can provide competitive programs during the afternoons when the networks are devoted only to serials. Further, it was pointed out, many foreign language groups are unable to listen during daytime hours, while they would be available in the evening.

• • •

Purely Personal: *Lloyd A. Free, FCC director of foreign broadcast monitor service, arrived early this week by clipper from England. . . . Jimmy Durante will be guest on the Kate Smith show over CBS tonight. . . . Richard Krolik, assistant to Lester Gottlieb, Mutual director of publicity, will leave today to join the Army Air Corps. . . . Harry E. Brown, veteran California exhibitor, has been named manager of KMYC, Marysville, Cal., succeeding Walter Conway.*

• • •

WKBH, La Crosse, Wis., will join NBC on Jan. 1. It will be a basic supplementary outlet to both the Red and Blue. The station is owned by WKBH, Inc., and operates with 1,000 watts power, unlimited time, on 1,410 k.c. The NBC network rate will be $120 per evening hour, with $10 night time cut-in rate, $5 days, and $7 on Sunday afternoons.

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G. W. Johnstone, chairman of the radio division of the Committee for the Celebration of the President's Birthday, and Keith Morgan, national chairman, will leave today for a swing through 11 states for the purpose of arranging radio broadcasts, organization dinners and the like. Broadcasting schedules have been set up in all key cities which Johnstone and Morgan will visit. Transcriptions in Italian, French and Spanish have been produced by Norman Warembud of WBYN and are being shipped to all foreign language stations, and transcriptions have also been made of appeals by William Green and Philip Murray, presidents of the AFL and CIO, respectively, for shipment to stations in large industrial areas.

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Program News: *Standard Brands has renewed "One Man's Family" for an additional year over 60 NBC-Red stations. . . . Melville Shoe Co. has renewed for the fourth consecutive year the newscasts by John Allen Wolf, Monday through Saturday, 7:45-8 A.M. over WABC. . . . D. L. Clark Co. has renewed for an additional year "Service With a Smile" over 54 NBC-Blue stations. . . . WHN will start a new live show Monday, "Immortal Horizons."*

First Step in Split Of NBC Approved

(*Continued from page 1*)

be transferred from NBC to RCA, pending the location of an outside purchaser to assume operation of the three stations. Also announced was approval for the transfer of the license of WMAL, Washington, which NBC now operates under lease, to the original owner, M. A. Leese Radio Corp., a subsidiary of the *Washington Star*.

NBC offices in New York are understood to be ready for complete separation of the two webs and are awaiting official approval from the FCC. RCA has reserved about 30 corporate names for the new network and it is understood that the Blue will be operated by a separate corporation as a wholly owned subsidiary of RCA. Also understood is that NBC will declare a dividend in kind to the parent company, RCA.

To Start Stage Policy

BRIDGEPORT, CONN., Dec. 25.—The new part-week vaudeville policy, scheduled to start at the Lyric Jan. 5, has been pushed up to Jan. 1. Prices will be 40-50 cents for stage shows, and 25 cents for children, including tax. Matinees will be 35 cents, including tax, all over the house, and 17 cents for children.

Squire Reopens Soon

The Squire Theatre will reopen next month with the first local showing of "The Eternal Gift," Catholic picture narrated by the Reverend Fulton J. Sheen.

Four Poll Winners To Receive Scrolls

Awards of scrolls to four winners in the "Champion of Champions" 1941 radio poll conducted by MOTION PICTURE DAILY on behalf of *Fame,* will be made during broadcasts tomorrow.

Nila Mack will receive the scroll during "Let's Pretend" on CBS at 1 P.M. The program was voted Best Children's Program. At 5 P.M., Glenn Miller and his orchestra, voted Best Popular Orchestra (Swing) will receive the award while broadcasting on NBC-Blue. At 8 P.M., Guy Lombardo and his band, voted Best Popular Orchestra (Sweet), will be handed the scroll during the broadcast over CBS.

Bill Stern, whom the editors chose as Best Sports Announcer, will receive his award during "Sports Newsreel of the Air" over NBC-Red at 10 P.M.

RCA Opens Circuit From U. S. to Sydney

RCA Communications yesterday announced that a direct radio telegraph circuit between San Francisco and Sydney, Australia, had been opened for the first time. The new 7,420-mile circuit will carry messages between the United States and New Zealand as well as Australia.

Scott Bowen Dies

UTICA, Dec. 25.—Scott Howe Bowen, president of WIBX here, died this week at his home in West Palm Beach, Fla., at the age of 53.

1,587 Pickups From Abroad By CBS in '41

(*Continued from page 1*)

stations as affiliates for its proposed Latin American network. The two CBS 50,000-watt transmitters are almost completed, it was said. Meanwhile, many important network shows are being sent to Latin America by the existing transmitters. A special news room for short wave has been set up and there are broadcasts in 10 languages, English, German, French, Spanish, Portugese, Dutch, Italian, Serbo-Croatian, Swedish and Polish. Personnel in the international division has been increased from 10 to more than 50 during the course of the year.

Eight reporters, aided by five technicians, monitor the short wave listening posts now operating 21 hours daily.

Leading the engineering achievements during the year was the construction of a new 50,000-watt transmitter for WABC, key station. The short wave transmitter was moved from Wayne County, N. J., to Long Island. FM broadcasting was started and a regular television schedule began on July 1, the date set by the FCC for the start of commercial television. A staff of more than 80 is now employed for television, and about 100 hours of color transmission were completed during the year.

Columbia's "School of the Air of the Americas," which was expanded to include the entire hemisphere in 1940, continued to grow during the past year. The audience for this program alone is now estimated at 8,000,000 students and 3,000,000 adults in this country and 3,000,000 students, in Latin America.

Leading cultural contributions was the dramatic sustaining series, "26 by Corwin," as part of the "Workshop" series. There were broadcasts by 11 leading religious denominations, all represented in the "Church of the Air," and by other groups as well. Besides religious broadcasts, there were 79 special programs totaling 27 hours, devoted to charitable and eleemosynary organizations.

Power Increases For Three Stations

WASHINGTON, Dec. 25.—The Federal Communications Commission has granted power increases to three stations, authorizing WSUI, Iowa City, Iowa, to increase night power from 1,000 to 5,000 watts; WCNW, Brooklyn, N. Y., to increase power from 250 to 1,000 watts, change frequency from 1,600 to 1,190 kilocycles and extend hours from specified to limited; and WOOD, Grand Rapids, Mich., to increase power from 500 to 5,000 watts.

A hearing was ordered on the application of Station WHAT, Philadelphia, to change frequency from 1,340 to 1,160 kilocycles, change hours of operation from sharing to daytime and increase power from 100 to 5,000 watts.

An application was filed by Eugene P. O'Fallon, Inc., for a construction permit for a new 46,500 kilocycle FM station at Denver, Col.

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VOL. 50. NO. 126 NEW YORK, U.S.A., MONDAY, DECEMBER 29, 1941 TEN CENTS

Price Names Ryan Censor Aide on Radio

Executive of Fort Co. Is Director of NAB

WASHINGTON, Dec. 28. — The first step toward the setting up of his organization was taken Friday by Byron Price, Director of Censorship, with the appointment of John H. Ryan of Toledo, Ohio, as assistant director in charge of radio.

Ryan is vice-president and general manager of the Fort Industry Co., operators of six broadcasting stations in Ohio, West Virginia and Georgia, and is a member of the board of directors of the National Association of Broadcasters. He will serve on leave of absence from his company and, Price said, "at a considerable personal sacrifice."

Radio stations and networks have been working under a "self-imposed censorship." Many independent stations have expressed a desire to have

(Continued on page 4)

Loew's-306 Case Hearing on Jan. 13

A hearing will be held Jan. 13 in Federal Court on the anti-trust suit brought by Loew's against Local 306 of the operators' union to restrain enforcement of a union demand that the company cease delivery of films to New York exhibitors who do not employ Local 306 projectionists.

Renewal of efforts by the local to eliminate Empire State M. P. Operators' Union and other independent unions from the New York territory was seen in labor circles over the

(Continued on page 6)

B&K, WCAU Seek Sponsor Television

Washington, Dec. 28.—Balaban & Katz Corp., Chicago, and the WCAU Broadcasting Co., Philadelphia, have filed applications with the Federal Communications Commission for conversion of their television stations to commercial operation. The B & K station will operate on Channel No. 2, and WCAU will operate on Channel No. 5.

Koerner Realigns RKO Divisions to Aid Supervision

A revision of RKO's divisional theatre setup designed to increase personal supervision of the circuit's houses has been completed by Charles W. Koerner, general manager.



C. W. Koerner

A new out-of-town theatre division has been created and will be headed by Sol Schwartz, former division manager for the Bronx and East Side Manhattan. The following theatres have been included in the new division: Keith's, Lowell; Albee, Providence; Palace, Capitol, Temple, Century and Regent, Rochester; Eckel, Empire, Keith's, Palace, Paramount and St. James, Syracuse; Uptown, Detroit; Iowa,

(Continued on page 4)

'Dimes' Home Office Post to Goldenson

Nicholas M. Schenck, national chairman of the film industry's "March of Dimes" campaign, has appointed Leonard Goldenson as chairman of the home office committee.

Goldenson has enlisted the aid of the following executives in making home office drive collections: Herbert J. Yates, George J. Schaefer, Joseph

(Continued on page 4)

Set 20th-Fox Studio Parley Next Month

Twentieth Century-Fox production plans for the latter part of 1942 will be discussed at studio conferences shortly after the first of the year, which will be attended by Sidney R. Kent, president, and T. J. Connors, his personal assistant, from the home office. Also conferring will be Darryl F. Zanuck, vice-president in charge of production; Joseph M. Schenck, and William Goetz, vice-president and executive assistant to Zanuck.

Aaron Is Assistant Metro Sales Chief

Edwin W. Aaron, who has been with M-G-M for the past 25 years, has been named assistant general sales manager of the company by William F. Rodgers, vice-president in charge of distribution. Aaron has been assistant to Rodgers for the past 12 years and in his new capacity will add more duties, and he will have a wider scope of activity.

Aaron has been with the company for the past 25 years. His first position, according to *International Motion Picture Almanac,* was with E. M. Saunders as cashier at the New York exchange, which was then operated on a franchise. He moved to the home office when the exchange units were absorbed by the company to install an accounting system throughout the country. He became a traveling auditor for five years and subsequently returned to the home office as head of the contract department.

Only U. S. War Declaration Exceeded Churchill's Daytime Radio Audience

Prime Minister Churchill, in addressing the joint session of Congress on Friday, spoke to one of the largest daytime radio audiences ever recorded, the Cooperative Analysis of Broadcasting has reported. The rating of 44.7 per cent was far ahead of the previous Churchill high of 26.1 per cent, set last Aug. 24. The high point of his predecessor, the late Prime Minister Chamberlain, was 13.2 per cent, set on Jan. 9, 1940.

Churchill's speech was even ahead of nearly all of President Roosevelt's daytime addresses, although it fell short of the 65.7 per cent set Dec. 8, when President Roosevelt asked Congress for a declaration of war against Japan.

The Churchill speech was heard over the facilities of the four national networks, NBC Red, NBC Blue, CBS and Mutual, between 12:30 P.M. and 1:05 P.M.

Previous listening ratings on speeches of Prime Minister Churchill broadcast in this country were a figure of 23.7 per cent for the speech from London on Feb. 9, 1941, and a figure of 16.5 per cent, on the speech of June 22, last, also made from London.

Ascap Waives Back Royalties In Washington

Covers 3-Year Period of Anti-Ascap Law

Ascap has decided not to prosecute exhibitors, broadcasters or other music users in the state of Washington for royalties on the music used and not paid for during the three years the music society was prevented by the state's anti-Ascap law from operating in Washington, it was learned yesterday.

Under a recent agreement with state authorities, Ascap will resume operations in Washington by filing a list of its copyrighted compositions with the secretary of state in compliance with the law and has agreed not to press its appeal on the constitutionality of the statute in the U. S. Supreme Court.

Ascap officials said that Washington music users would resume payment of royalties immediately and that no damage actions for the unlicensed performances would be brought by the society. They pointed out that few theatres in the state made provision for contingencies of this kind and that successful damage actions by Ascap would work an unreasonable hardship on many houses in Washington.

Will Seek Delay on Schine Trial Today

Defense counsel in the Government's anti-trust suit against the Schine Circuit will ask Federal Judge John C. Knight in U. S. District court at Buffalo today for an extended postponement, probably until May, of trial of the case.

Willard S. McKay, counsel for the Schine circuit, will seek deferment of the trial on the ground that the Government's failure to furnish compre-

(Continued on page 4)

Agnew and Gillham To Coast Thursday

Neil Agnew, Paramount vice-president and distribution head, and Robert M. Gillham, advertising and publicity director, will leave for the Coast New Year's Day for screenings of new product.

Distribution and advertising campaigns on the new product will be discussed with studio officials following the screenings.

Clearance Case Is 2nd Filed at Albany

ALBANY, Dec. 28.—Smalley Theatres, Inc., of Cooperstown, N. Y., has filed an action with John Rawson, clerk of the arbitration tribunal here, on clearance. The case is the first filed at the local board since last March and the second of record here.

The complaint names all five consenting companies and seeks reduction of the 14-day clearance over Smalley's Theatre, Sidney, N. Y., held by Schine's Colonial, Norwich. Leonard Rosenthal, executive secretary of Allied Theatre Owners of New York, is attorney for the plaintiff.

Decision Due Soon In Pittsburgh Case

PITTSBURGH, Dec. 28.—Samuel W. Pringle, arbitrator in the clearance case filed last April by David Green's Beacon Theatre here, will hand down his decision in the case before Jan. 16. The case was heard recently after numerous postponements.

Cohan Gets Gift from Providence Friends

George M. Cohan, who is recovering at his home here from a serious illness, received a decorated Christmas tree from 100 friends in Providence, his home town. The tree was delivered through the New York office of Edward M. Fay, Providence theatre operator, and an old friend of Cohan. The tree was a gift of the Town Criers, and was accompanied by a letter from its chief officer, and another from Mayor Dennis J. Roberts of Providence.

Join PRC Sales Staff

Producers Releasing Corp. announced the appointments of George Caldaus as salesman at the Los Angeles branch and Phil Burg as booker, and John Morphet as salesman and Viola Pausch as booker at the St. Louis exchange.

Bausch & Lomb Bonus

ROCHESTER, Dec. 28.—The approximately 6,500 employes of the Bausch & Lomb Optical Co. here were paid a Christmas bonus ranging from one-half to one week's pay.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW."—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except. Mon. Mats. New Year's, Sat.-Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

J. CHEEVER COWDIN, Universal board chairman, has extended his visit at the studio for another two weeks.

•

HAROLD DUNN, Far Eastern supervisor for Warners, has arrived in Shanghai, according to word received here. His whereabouts had been unknown since the outbreak of the war.

•

JAMES MAHAN, shipper at the Warner exchange in New Haven, is the father of a daughter, MARILYN, born to MRS. MAHAN last week. It is their third child.

•

BENJAMIN LOURIE, salesman for Columbia in New Haven, is on a two-week vacation, part of which he will spend in Boston.

•

JERRY WALD, associate producer for Warners, and CONSTANCE POLAN were married Christmas Day at Las Vegas, Nev.

NATE SPINGOLD, home office executive for Columbia Pictures, has left for Florida to spend a brief vacation.

•

MORTON GERBER, of the Warner home office publicity department, and MARJORIE LOTH were married at the Hotel Warwick here. They went to Atlantic City on their honeymoon.

•

EDWARD SEIDER of the Prudential circuit is in Florida on vacation.

•

NORMAN ARENWALD, head booker for the Leo Brecher circuit, and MRS. ARENWALD have gone to Miami.

•

WALTER READE has returned from a 10-day Florida vacation.

•

DAVE WHALEN is due back from Boston today.

•

FRED SCHWARTZ, vice-president of Century Circuit, is vacationing at Lake Placid.

Raid Shelters Built At Warner Studio

Four air raid shelters and an auxiliary system of trenches and dugouts have been completed at the Warner studios in Burbank, the company announced on Friday. Ten more are to be built, it was said.

The four shelters are situated in the basements of steel and concrete buildings, are fully equipped with gas protection, beds and hospital units, and are ready for any emergency. The company has assigned wardens to supervise studio evacuation. A rehearsal is planned shortly. A checking system has been set up against sabotage, the company has acquired three ambulances and has installed an independent studio telephone system.

Donoghue Now With Loew Publicity Staff

Terry Donoghue, formerly of the editorial staff of the Newark *Ledger*, New York *Journal-American* and other New York dailies, has joined the Loew's circuit publicity department, assigned to Loew's State theatre and general newspaper contact work. Herman Silver has been assigned to the Loew neighborhood publicity staff, covering Manhattan theatres.

Form Frisco Company

SAN FRANCISCO, Dec. 28.—Hi-Lo Theatres, Inc., has been incorporated here by F. E. Cannon and B. E. Kragen, with capital stock of $20,000.

Studio Personnel Joins In War Effort of Country

HOLLYWOOD, Dec. 28. — Many of Hollywood's studio personnel, in various branches of production activity, are actively engaged in the war effort, or are awaiting call.

Darryl F. Zanuck, vice-president in charge of 20th Century-Fox production, on semi-active duty with the War Department, has had active charge of the production of training films for the Army.

John Ford, commander in the Naval Reserve, organized a Naval photographic unit, and serving with him are: Lieut. Frederick Spencer, executive officer; Ensign E. R. Kellogg, Ensign Marcus E. Armistead, Chief Petty Officer R. J. Pennick. This staff works with Captain Merian C. Cooper, United States Air Corps, also assigned to this particular office.

Under Ford's command on active duty are also: Camera Unit No. 1, Lieut. Joe August, commanding; A. T. Powell, Chief Petty O.cer; G. J. Irvine, J. P. Mackenzie, E. M. Tronowsky, R. B. Yould. Camera Unit No. 2, Lieut. A. Siegler, commanding; L. L. Goldstein and W. J. Wheeler, Chief Petty Officers; W. H. White, B. H. Heath and R. L. Harris. Camera Unit No. 3, Lieut. H. Wenstrom, commanding; R. R. Rhea, Chief Petty Officer; C. M. Jones, E. R. Smith and H. B. Jones. Camera Unit No. 4, Lieut. A. Gilkes, commanding; P. P. Mohn, Chief Petty Officer; J. S. Barnett, T. H. Evans and G. Laursen. Sound Unit No. 1; Lieut. K. Pier, commanding; E. A. Hilson, R. M. Graggins, J. B. Allin.

Units not yet called but awaiting call include: Camera Section A; Lieut. Gregg Toland, commanding; F. J. Jancar, J. S. Varalyay, S. Newmark, J. E. Mitchell, Camera Section B; Ensign R. Hoge, commanding; J. W. Saper, R. R. Parrish, W. D. Faralla, D. A. Cline. Camera Section C, Lieut. H. Davis, commanding; G. W. Lufkin, J. W. LaGrone, R. O. Neal. Camera Section D, Lieut. S. Halprin, commanding; G. V. Thayer, Chief Petty Officer; P. B. Pierce, J. W. Seiter, D. P. Kelly, R. C. Skidmore. Technicolor Technical Section E, Lieut. (j. g.) A. Arling, commanding H. H. Van Pelt, C. W. Inman, J. J. Stout, H. R. Martin.

In addition to these, two motion picture figures are holding high positions in the 11th Naval District's Procurement and Personnel Office. Ranking liaison officer for the Navy is Lieut. Commander A. J. Bolton, U. S. N., formerly with 20th Century-Fox, and his executive officer, Lieut. Commander Eugene Zukor, U. S. N. R., formerly with Paramount.

The Army general headquarters photographic unit of the Signal Corps Reserve, organized under the Research Council and with Col. Nathan Levinson, Warner chief sound engineer, as commanding officer, was told to stand by for immediate call. Some members were called for immediate duty, such as Sy Bartlett, film writer. This unit includes such notables as Major Sam Briskin, Columbia executive; Captain Gordon Mitchell, manager of the Research Council; Major John Aalberg, chief sound engineer for RKO; Lieut. Jack Warner, Jr., son of the Warner production chief; Lieut. Jules Buck, cameraman, and others.

Tri-State Spots to Play Stage Shows

PITTSBURGH, Dec. 28. — More than 40 theatres in the suburbs and smaller cities in the Tri-State area will play stage shows when traveling name bands are available, according to veteran booker Joseph Hiller, recently-elected chief barker the local Variety Club.

During 1941, orchestras that were booked into motion picture theatres at this territory for one-night stands or longer, were: Phil Spitalny, Tommy Dorsey, Ted Lewis, Abe Lyman, Erskine Hawkins with the Ink Spots, Cab Calloway, Artie Shaw, Bob Chester, Alvino Rey, Johnny Long, Paul Whiteman, Charlie Barnett, Ted Weems, Vincent Lopez, Jack Little, Herbie Kay, Sammy Kaye, Gene Krupa, Jan Savitt, Ella Fitzgerald, George Hall, Gus Arnheim, Grey Gordon, Lang Thompson, Mal Hallett, Russ Morgan, Teddy Powell, Fatts Waller, Johnny Davis, Tony Pastor, Jan Garber, Raymond Scott, Tommy Tucker, Shep Fields, Vaughn Monroe, Frankie Masters, Jack Teagarden, Ina Mae Hutton, Blue Barron, Maurice Spitalny and Baron Elliott.

Long-established bands are usually the best box-office draws, Hiller stated.

Bette Davis Resigns As Head of Academy

HOLLYWOOD, Dec. 28.—Bette Davis, first woman ever to be elected president of the Academy of Motion Picture Arts and Sciences, has announced her resignation from the post, due to the press of her film work and ill health.

The board of governors will meet on Jan. 7 to elect a successor. Miss Davis took office three months ago. In making known her resignation, Miss Davis said she felt the Academy presidency is a full-time post if the job is to be done as thoroughly as is required.

To Increase Prices

MILFORD, Conn., Dec. 28. — When Bernard Gordon reopens the Capitol here after complete renovation, he will raise the admission top to 39 cents from the former 30 cents. Lucy Flack was the former operator.

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And what a week-end it was bound to be—with reviews like these:

"HIGHEST RATING! HERE IS A PICTURE FOR THE FAMILY TO SEE AND ONE THAT TWENTIETH CENTURY-FOX MAY WELL TAKE PRIDE IN HAVING PRODUCED!"

—N. Y. Daily News

"THIS IS A TALE OF AMERICA! IT IS WARM, RICH AND HUMAN. IT BRINGS TEARS TO YOUR EYES, BUT THE GOOD CLEAN TEARS OF HAPPINESS; HAPPINESS AT BEING AN AMERICAN!"

—N. Y. Daily Mirror

"NONE OF THE PICTURES THAT CAME INTO TOWN YESTERDAY COULD MATCH IN SIMPLE CHARM AND DIGNITY 'REMEMBER THE DAY'!" *—N. Y. Times*

20th CENTURY FOX

Koerner Realigns RKO Divisions to Aid Supervision

(*Continued from page* 1)

Cedar Rapids; Orpheum, Davenport; Orpheum, Sioux City; Capitol, Family and Strand, Marshalltown; Orpheum, Minneapolis; Orpheum, Avon and Grand, Dubuque; Orpheum and Liberty, New Orleans, and Orpheum, Waterloo.

Schwartz's former division will be divided into two units with John Hearns, former Yonkers city manager, heading one group and Michael Edelstein, manager of the Tilyou, the other. Hearns will be in charge of the Fordham, Chester, Franklin, Empire, Castle Hill and Pelham, and Edelstein will have the Regent, 125th Street, Alhambra, Roosevelt, Royal and Jefferson. Successors to Hearns and Edelstein have not been selected yet.

Charles B. McDonald will continue in charge of his present list of Manhattan and Queens theatres and in addition will have the RKO 58th Street and 86th Street. Louis Goldberg will have the Albee and Orpheum added to his present list of Brooklyn and Queens houses. H. R. Emde will continue as division manager for the Westchester, Union City and Newark houses.

Koerner said several new district managers will be named in the near future.

Jay Golden Named Cadoret's Successor

ROCHESTER, N. Y., Dec. 28. — Jay Golden, manager of the RKO Palace here for the past four years, has been named city manager for the Palace, Temple, Regent, Century and Capitol, succeeding William H. Cadoret, who died last week.

The houses are part of the local RKO, Paramount and Comerford pooling arrangement. Golden started as a manager in Troy 14 years ago, and will retain the management of the Palace temporarily. He came here in 1930, but left in 1935 to manage Keith's in Syracuse, returning to the Palace here in 1937.

'Dimes' Home Office Post to Goldenson

(*Continued from page* 1)

Bernhard, T. J. Connors, Joseph McLoughlin, James R. Grainger, Gradwell L. Sears, Spyros Skouras, Jack Cohn, William A. Scully, Herman Robbins and William F. Rodgers.

Abe Montague has been named chairman of the distributors committee. He will organize the nation's exchanges in cooperation with the drive.

Mrs. Eleanor Roosevelt on Jan. 19 in a coast-to-coast broadcast, will emphasize the part played by the film industry in the 1942 "March of Dimes" campaign. Harry Brandt, national co-chairman of the industry drive, has urged state chairman to rush theatre pledges prior to the date of the broadcast.

Warner Party March 14

The home office Warner Club will hold its 13th annual banquet and ball in the grand ballroom of the Waldorf-Astoria Hotel on March 14. Martin F. Bennett is president of the club.

Reviews

"Lady for a Night"

(Republic)

SEVERAL well-staged musical numbers enliven this production by Albert J. Cohen. These include "Up in a Balloon" and "Ta Ra Ra Boom De Ay," done in the gambling casino manner, and a spiritual song by the Hall Johnson Choir. Beyond the music, however, there is little to the picture and the story frequently becomes tedious.

Neither the acting nor the dialogue is distinguished. Joan Blondell plays the part of the mistress of a gambling joint whose lifetime ambition is to become a recognized member of Memphis high society. Her first venture, having herself crowned queen of the annual carnival, brings only additional snubs but she tries again. When Ray Middleton, scion of a local family, loses more than he possesses, Miss Blondell takes advantage of the situation to force him to marry her.

This maneuver, too, fails miserably, especially when Middleton's relatives, Philip Merivale and Blanche Yurka, conspire against her. There are efforts on the part of John Wayne, who plays the principal male role as a gambler-politician, to win recognition for Miss Blondell but the whole episode ends sadly when she is accused of the murder of her husband. Ultimately, she returns to her gambling casino as the bride of Wayne convinced that her people are much truer and warmer than the upper crust.

One bit part, that of a voodoo "conjure man," is effective. Others in the cast include Edith Barrett, Leonid Kinskey, both of whom give good performances, Hattie Noel, Montagu Love, Carmel Myers, Dorothy Burgess, Guy Usher, Ivan Miller, Patricia Knox, Lew Payton and Marilyn Hare. Leigh Jason directed.

Running time, 87 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

"Swamp Woman"

(Producers Releasing)

"SWAMP WOMAN" is a slow drama of the interior of the South's swamp regions, whose main lure would be in certain theatres the fact that it has Ann Corio in the cast. Miss Corio, it is proclaimed in large letters on the marquee of the Central Theatre on Broadway, is the "Queen of Burlesque."

The "Queen" may be depended upon to satisfy her admirers. She is no exponent of overdress. One shot of her on the stage of a burlesque theatre is strictly "shock" material and definitely not fit for any family gathering.

Virtually all of the story takes place in the swamp area, in effective settings. Miss Corio, theatre performer, returns because of her love for one of the natives, Jack La Rue. He in the meantime is preparing to marry her young sister, Mary Hull. Also brought in is a fleeing chain gang prisoner, Richard Deane, who is harbored by Miss Hull, and Jay Novello, Miss Corio's former associate of the theatre, who really committed the murder for which Deane was convicted. It eventually works out for all except Novello, who is tricked into a confession. Ian MacDonald is the detective in search of Deane. Max Alexander and George Merrick produced.

Running time, 68 minutes. "A."* EUGENE ARNEEL

**"A" denotes adult classification.*

Construction in S. A. Reported by Ritchey

A great deal of new theatre construction is under way throughout Latin America, Norton Ritchey, vice-president in charge of Monogram foreign activities, reported Friday on his return by plane from a four-month tour.

Declaring that it is "impossible to generalize about Latin America," Ritchey said theatre business was improved in some countries, worse in others. He cited the new construction as being evidence of a general trend for bigger grosses.

Ritchey described his trip, which was for the purpose of reorganizing the distribution setup and a general inspection tour, as "highly successful." Four or five new distributors have been added, he said.

Price Names Ryan Radio Censor Aide

(*Continued from page* 1)

some one in authority on whom executives or newsmen may call for decisions on items in newscasts which are borderline cases. The fact that radio broadcasts may be heard outside the country without the necessity of passing through any other medium of communication requires special handling.

Reopen Connecticut House

WILLIMANTIC, Conn., Dec. 28.—Warners have reopened the 761-seat Gem after a five-year dark period. Joseph Miklos, assistant at the Capitol, New Britain, will be manager of the Willimantic house. The policy will be four changes a week, admission 20-30 cents evenings, and 20 cents matinees.

Frisco Still Shows Effect Of Blackouts

SAN FRANCISCO, Dec. 28.—Grosses recovered slightly from the effects of the first blackout jitters, but were still far down. Best business was done at the Warfield, where "H. M. Pulham, Esq." and "Marry the Boss's Daughter" took $12,200.

Estimated receipts for the week ending Dec. 15-19:

"Skylark" (Para.)
"Sailors on Leave" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $8,500. (Average $11,500.
"Weekend for Three" (RKO)
GOLDEN GATE—(2,850) (39c-44c-55c) 7 days. Stage: Vaudeville. Gross: $13,500 (Average, $15,000)
"H. M. Pulham, Esq." (M-G-M)
"Marry the Boss's Daughter" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $12,200. (Average, $12,000)
"Sundown" (U.A.)
UNITED ARTISTS—(1,200) (35c-40c-50c) 7 days, 4th week. Gross: $5,500. (Average $7,500)
"Ladies in Retirement" (Col.)
"Tillie the Toiler" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $6,500. (Average, $8,000)
"The Maltese Falcon" (W.B.)
"Target for Tonight" (W.B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days Gross: $14,000. (Average, $16,000)
"Two-Faced Woman" (M-G-M)
"Cadet Girl" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. (Moved over from Fox.) Gross: $3,800. (Average, $4,500)
"One Day in Soviet Russia" (Artkino)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $700. (Average, $1,000)

Will Seek Delay on Schine Trial Today

(*Continued from page* 1)

hensive answers to defense interrogatories has prevented the theatre company from making any adequate preparation for defense. Counsel for United Artists, Universal and Columbia will petition a lengthy postponement because the Government has succeeded in having its anti-trust suit against the Little Three placed on the New York Federal court trial calendar for February. They will argue that they should not be required to defend two of the Government's suits simultaneously.

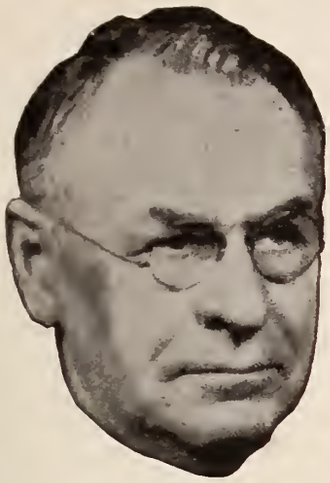
Trial of the Schine suit has been set down for March 3. Attorneys indicated that they believe a postponement of several months would be required if the Government insists on proceeding with the New York suit trial when it is called in February. It is believed that the Government will do this since its chances of preserving the trade show and blocks-of-five provisions of the consent decree hinge upon its gaining a victory in the New York suit prior to June 1.

Leave Rochester House

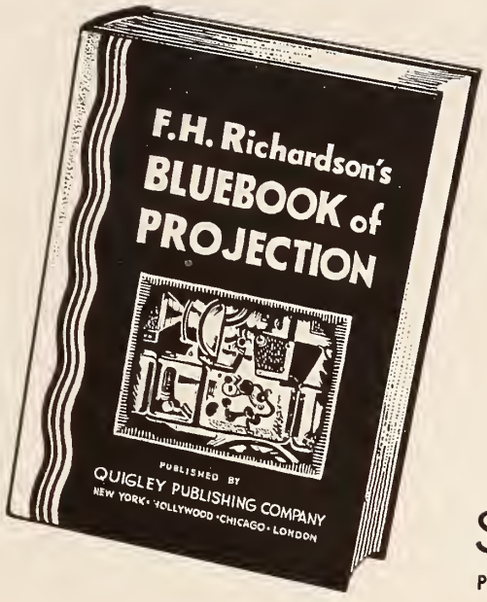
ROCHESTER, Dec. 28.—Charles Freeman, manager, and Kenneth Cobb, assistant, have resigned their posts at the Century here. Arthur Krolich, Regent manager, will serve at the Century temporarily, with John Menzies of the RKO Palace as assistant.

Shift Phila. Managers

PHILADELPHIA, Dec. 28.—Ken Kramer has been named manager of the Mayfair, here. Marty Balaban has gone to the Overbrook in the same capacity.



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Radio Ready For War Now, Paley States

Declaring it "fortunate that radio broadcasting had been forged and tempered into a potent instrument of democracy before America became involved in the supreme test of war," William S. Paley, CBS president, in his annual statement, said that radio is ready for war with "responsible judgment, trained personnel and world-wide facilities."



W. S. Paley

"It would not be true to say that we have formulated new policies with regard to the war. It is of the essence of radio broadcasting that it should be swiftly and flexibly responsive to the ever changing opportunities and ever changing needs of a democracy," Paley asserted.

He said that CBS would play its part through "news, through public discussion, through the presentation of historic events as they occur, and through appropriate dramatization," to maintain national morale. This will be done with two goals in mind, he added, "first, the winning of the war, and second, the winning of the peace." "The skills and techniques of radio broadcasting are admirably adapted to promote and intensify nation-wide devotion to the goals I have mentioned, and we shall use all our resources to that end," Paley said.

He said existing programs would continue "with a new significance." These include religious, classical music, light music and "programs of fun and frolic." Asserting that the CBS short wave transmitters will carry the United States message all over the world, Paley concluded that "the power of a free radio in a free country will be felt, as never before, by all the nations of the world."

'Laughing' $8,800; Indianapolis Slow

INDIANAPOLIS, Dec. 28.—"Look Who's Laughing" and "The Gay Falcon" did $8,800 at the Indiana, but business was slow eslsewhere and as a whole it was one of the worst weeks of 1941.

Estimated receipts for the week ending Dec. 18:

"Skylark" (Para.)
"Mexcian Spitfire's Baby" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $6,500)
"Look Who's Laughing" (RKO)
"The Gay Falcon" (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $8,800. (Average, $7,000)
"The Men in Her Life" (Col.)
"Secrets of the Lone Wolf" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $5,000. (Average, $8,000)
"Birth of the Blues" (Para.)
"Among the Living" (Para.)
LYRIC—(2,000) (28c-33c-44c) 7 days, 3rd week. Gross: $3,400. (Avcrage, $4,500)

Manages N. J. Houses

Al Suskin has been named manager of the Criterion and the Majestic, Bridgeton, N. J.

Off the Antenna

FOLLOWING the announcement by the FCC that it approved transfers of licenses of four NBC-Blue stations as a step in the separation of the Red and Blue networks, Niles Trammell, NBC president, on Friday sent a telegram to all Blue affiliates. He urged all stations to attend a special conference to be held at the Drake Hotel in Chicago on Jan. 15. Although the purpose of the meeting was not stated in the wire, it is understood that the next steps in the separation will be discussed.

• • •

"People's Platform," *the CBS program usually given over to discussions on controversial subjects, will be devoted next Saturday to predictions by four of the network's leading news analysts on "What's Ahead for the World in 1942?". Lyman Bryson, chairman of the CBS adult education board, will preside. The guest experts will include Edward R. Murrow, chief of the network's European staff, now in this country; Elmer Davis, news analyst; Major George Fielding Elliott, CBS military expert, and Albert Warner, head of the network's Washington bureau.*

• • •

The networks gave all employes not needed for production or programs a full weekend over the Christmas holiday by working with skeleton staffs Friday and Saturday. The same procedure will be followed for a four-day New Year's weekend.

• • •

"Moonlight Saving Time," the all-night show on WOR, with Jerry Lawrence as master of ceremonies, has dropped all request numbers. This follows the move by many independent stations along similar lines to prevent the use of such requests as a possible code of communication among enemy agents. Some stations are continuing request numbers but no longer are announcing the person making the request.

Chicago Firms Cut Civilian Set Output

CHICAGO, Dec. 28.—Three radio manufacturers here are reducing their output of sets for civilian use in order to work on defense orders.

Paul Galvin, president of the Galvin Manufacturing Corp., here, and head of the Radio Manufacturers Association, has announced that his company has "frozen" all its civilian models to present designs to facilitate armament production work.

E. F. McDonald, Jr., president of Zenith Radio Corp., reported that because of rapidly expanding war work, his company will be unable to meet the rising demand for its regular line of products, and the Majestic Radio and Television Corp. said it will reduce civilian radio output and step up an army set known as the "walkie-talkie," for military use in the field.

Loew's-306 Case Hearing on Jan. 13

(*Continued from page* 1)

weekend as the outcropping of a long standing issue. The biennial union election will be held Wednesday, with Joseph Basson, incumbent president, opposed by Herman Gelber, secretary. Although Basson's recent discussions with Loew's were regarded as more serious than in the past, it was pointed out that efforts to eliminate Empire generally came during election periods.

The last negotiations for a 306-Empire merger broke down after offers were made and rejected over the status of unemployed Empire men in the 306 setup. It is generally believed that the focal point of the matter is the Century Circuit, with which Empire recently concluded a 10-year contract.

Chicago Union Ball Set

CHICAGO, Dec. 28.—The 25th annual theatrical ball of the Chicago Theatrical Protective Union, Local 2, IATSE, will be held at the Aragon Ballroom on Feb. 16,1942.

'Flying' Garners $11,000 in Buffalo

BUFFALO, Dec. 28.—"Keep 'Em Flying" continued a smash engagement at the Lafayette with $11,000 in the second week. "The Maltese Falcon" drew well at the Hippodrome with $8,300.

Estimated receipts for the week ending Dec. 20:

"H. M. Pulham, Esq." (M-G-M)
"Small-Town Deb" (20th-Fox)
BUFFALO—(3,489) (35c-55c) 7 days. Gross: $8,200. (Average, $12,000)
"Design for Scandal" (M-G-M)
"Cadet Girl" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $6,600. (Average, $7,500)
"The Maltese Falcon" (W. B.)
"The Body Disappears" (W. B.)
HIPPODROME—(2,100) (35c-50c) 7 days. Gross: $8,300. (Average, $6,800)
"International Lady" (U. A.)
"Week-End for Three" (RKO)
TWENTIETH CENTURY—(3,000) (35c-55c) 7 days. Stage: Meyer Balsom and his Twentieth Century Orchestra, Ben Yost's New Yorkers, The Eight Singing Sweethearts. Gross: $13,300. (Average, $7,500)
"Keep 'Em Flying" (Univ.)
"Sing Another Chorus" (Univ.)
LAFAYETTE—(3,000) (35c-50c) 7 days, 2nd week. Gross: $11,000. (Average, $6,300)

M. P. Daily Radio Poll Winners Get Awards

Awards to winners in the MOTION PICTURE DAILY-*Fame* Champion of Champions radio poll were made during broadcasts on Saturday.

Sam Shain, editor of MOTION PICTURE DAILY, presented the award to Bill Stern, voted Best Sports Announcer, over NBC-Red, during the "Sports Newsreel of the Air." Nila Mack received her award from Ed Greif of MOTION PICTURE DAILY on "Let's Pretend," voted best children's program, over CBS. Herman Pincus of MOTION PICTURE DAILY gave their awards to Glenn Miller's band, voted Best Popular Orchestra (Swing) over NBC-Blue, and to Guy Lombardo's band, voted Best Popular Orchestra (Sweet) over CBS.

Manages Pa. Theatre

BETHLEHEM, Pa., Dec. 28.—William Blobstein has become manager of the Strand here.

Sees Billion in Air Equipment for U. S.

Present indications are that the Government will call upon the radio industry to begin production of approximately $1,000,000,000 worth of radio equipment for the armed services and home defense in the coming months, James T. Buckley, Philco president, declared in his annual statement.

"Some idea of the magnitude of this task may be gained from the fact that the normal, peacetime output of the industry is only about $500,000,000," Buckley said. He added that "it is hoped and believed that civilian production can be maintained on a reduced basis."

Mutual Added 48 Affiliated Stations During Past Year

With the addition of 25 stations and the replacement of 23 others Mutual added 48 affiliates to the network during 1941 to bring the total number up to an all time high of 193, it was pointed out in the annual year end summary.

During 1941, new station additions included WGR, Buffalo; WFBR, Baltimore, and WCAE, Pittsburgh, all 22 years old and operating with 5,000 watts. The addition of five stations also gave Mutual coverage in Florida for the first time.

Sporting events, always a big feature on the network, grew in emphasis during the year, led by the acquisition of exclusive rights to the Mike Jacobs boxing bouts. For the third year, Mutual broadcast exclusively the World Series play-by-play, and for the second year, the professional football championships.

In May, Mutual broke off from the rest of networks to bring back Ascap music to the air and followed its action by resigning from the National Association of Broadcasters.

During the year there were 931 special events and sports programs originating at home and abroad. These consumed 492 hours and 56 minutes.

The first Mutual radio theatre was opened during the year. Mutual scored a freak kind of radio scoop when its Washington correspondent failed to shut off his microphone following President Roosevelt's request for a declaration of war against Japan and the network thus became the first to broadcast the actual proceedings of a house of Congress in session.

To Get 'Kane' Award

George J. Schaefer, RKO president, tonight at the Museum of Modern Art will receive from Quincy Howe, new president of the National Board of Review, the organization's award for "Citizen Kane," judged the "best picture of the year." Everett Sloane of the cast also will be present.

Witt Joins Horne

Peter Witt has joined the Hal Horne organization, it was announced on Saturday. He will act as field coordinator.

Critics' Quotes . . .

"BIRTH OF THE BLUES" (Paramount)

That elusive screen form, the musical show, has been brilliantly handled in "Birth of the Blues." The new offering is an ingenious blend of swing music, comedy and straight drama . . . it stacks up as captivating entertainment.—*Howard Barnes, New York Herald Tribune.*

May not be ranked as one of the outstanding musical productions of the times, but it is a thoroughly entertaining film from the moment it opens until it fades romantically off the screen.—*Kate Cameron, New York Daily News.*

Whether authentic musical history or not, "Birth of the Blues" marks the [illegible]wning of an hour and a half of *ne plus ultra* entertainment for eyes and [illegible] of any gender and any age.—*Nelson B. Bell, Washington Post.*

All in all it was quite a birth the blues had and Paramount's account of it gives Crosby the best filmusical since he got on the studio's payroll.—*Jay Carmody, Washington Star.*

Can be put down as one of Paramount's real money makers.—*Louella O. Parsons, Los Angeles Examiner.*

As long as the film peddles song moments it has something to offer. . . . The only sour note sounded by "Birth of the Blues" is the story.—*Harry Mines, Los Angeles News.*

"RISE AND SHINE" (20th Century-Fox)

The film is an hilarious musical satire on college football with a gangster angle thrown in and with the usual Hellinger flair for funny dialogue and screwy characters.—*Harrison Carroll, Los Angeles Herald Express.*

Maybe its past the football season and all that, but "Rise and Shine," 20th Century-Fox gridiron contribution for laugh purposes, would be timely whenever shown.—*Edwin Schallert, Los Angeles Times.*

They've finally turned out another football comedy as funny as "Hold That Co-ed." . . . completely mad farce.—*Virginia Wright, Los Angeles News.*

A sillier football film has not been seen since the Ritz Brothers made the 20th Century-Fox varsity back in '37.—*Donald Kirkley, Baltimore Sun.*

In its considerable retention of Thurber's malicious whimsicality, it amounts to reasonably good, if uneven, entertainment.—*Jay Carmody, Washington Star.*

One of the gayest and most spontaneously amusing pieces of gridiron nonsense to hit the screen in years.—*Don Craig, Washington News.*

"KATHLEEN" (M-G-M)

M-G-M made no mistake when they took over Shirley's services. She does more for them than they do for her. . . . Even with a personable supporting cast and all the fixin's in costumes and settings, there's still the story—and that's humdrum.—*Edith Werner, New York Daily Mirror.*

M-G-M, her new sponsors, haven't done right by our Shirley.—*New York Times.*

Even if this story passed muster with Mrs. Temple, it won't catapult her daughter back into the *Motion Picture Herald's* best-ten list of money-making stars.—*Newsweek.*

A grand girl, Shirley, and although "Kathleen" is deficient as drama, we know you are going to like her.—*Gilbert Kanour, Baltimore Evening Sun.*

"YOU BELONG TO ME" (Columbia)

Wesley Ruggles has put together a bright, amusing little comedy.—*Mildred Martin, Philadelphia Inquirer.*

Put it down as apple-snow, palatable but not nutritious.—*Philadelphia Ledger.*

This is the kind of broad, uproarious comedy of marriage that doesn't wait for the laughs to die. They're practically continuous.—*Virginia Wright, Los Angeles News.*

The audience appeared to relish every minute of this comedy about a lady doctor and the rich patient she married.—*Philip K. Scheuer, Los Angeles Times.*

Wesley Ruggles' latest comedy is a comfortable soother for an hour and a half.—*Providence Journal.*

Somewhat above the normal, and an amible instrument for provoking grins and chuckles over familiar characters and things.—*Gilbert Kanour, Baltimore Sun.*

"CONFIRM OR DENY" (20th Century-Fox)

There is plenty of excitement to the story, some lively wise-cracking, and considerable tragedy.—*Doris Arden, Chicago Times.*

Although this one has all the elements of exciting drama . . . it turns out thoroughly ordinary melodrama.—*Chicago Herald-American.*

Six months ago it probably would have been a very exciting, timely and thrilling film. Today it still has a great deal of merit—but it is yesterday's headline.—*Wolf Kaufman, Chicago Sun.*

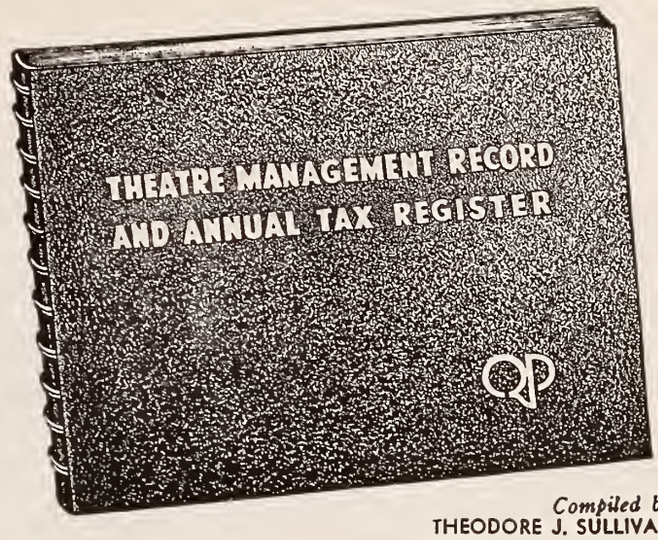
"UNHOLY PARTNERS" (M-G-M)

It is a newspaper story, pretty good, pretty "action-y," and very noisy. You probably will enjoy it.—*Wolfe Kaufman, Chicago Sun.*

Edward G. Robinson and Edward Arnold are providing double-quick action in melodramatic manner in a story where the suspense is well sustained for the greater portion of the 94 minutes of unreeling.—*Dorothy Guinan, Philadelphia Daily News.*

Since it deals with an age best forgotten, its melodramatics seem quite naive. Nevertheless, they are exciting.—*Henry T. Murdock, Philadelphia Ledger.*

The best thing about "Unholy Partners" . . . is that it shows us Laraine Day completely resurrected from her horrible fate in the "Dr. Kildare" series.—*Paddison Pretlow, Washington News.*



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THEODORE J. SULLIVAN

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THIS SIMPLE ACCOUNTING SYSTEM DEVISED EXPRESSLY FOR EXHIBITORS

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THE SHANGHAI GESTURE



Breaks all opening day and second day attendance and money records in the history of the Astor Theatre, New York City

WORLD PREMIERE ENGAGEMENT OF

Arnold Pressburger's

THE SHANGHAI GESTURE

From the Celebrated play by JOHN COLTON

starring **GENE TIERNEY**

WALTER HUSTON · VICTOR MATURE · ONA MUNSON

with PHYLLIS BROOKS · ALBERT BASSERMAN · MARIA OUSPENSKAYA

Directed by **JOSEF VON STERNBERG**

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 127 NEW YORK, U. S. A., TUESDAY, DECEMBER 30, 1941 TEN CENTS

War Effort to Occupy N.Y. Legislature

Opens Jan. 7; Little Film Legislation Seen

By RICHARD J. CONNERS

ALBANY, Dec. 29.—Prosecution of a successful war effort is the major concern of the 1942 New York State legislature, which convenes Jan. 7 to hear Gov. Herbert Lehman's annual message. The motion picture industry has already indicated its enthusiastic support of measures designed to aid in the national effort at home and abroad and the feeling exists that exhibitors particularly will have a real interest in legislative action.

While legislative leaders undoubtedly have not completed

(*Continued on page 4*)

Trade Cooperation Lauded by Mellett

WASHINGTON, Dec. 29.—The establishment of coordination of Government film activities has brought from the industry "wonderful" offers of cooperation, it was said tonight by Arch Mercy, assistant to Coordinator Lowell Mellett.

So far, Mercy said, no definite program has been laid down, but it is planned to set up only a small organization, since it is felt that not many persons will be needed under the policy of cooperation which will be followed, in which the industry will have a point of contact with all the Government film activities.

After the new organization gets started, Mellett said today, he will issue a statement outlining the policies and objectives of the planned coordination.

Dinah Shore, von Zell To Get Awards Today

Scrolls will be presented tomorrow evening at 9 o'clock to Dinah Shore and Harry von Zell during the broadcast of Eddie Cantor's "Time to Smile" over NBC-Red. Miss Shore was voted Best Popular Female Vocalist in the annual MOTION PICTURE DAILY "Champion of Champions" radio poll on behalf of *Fame* and von Zell was named Best Studio Announcer.

Clearance Award Affects Theatres In Oakland, Calif.

A clearance decision affecting virtually all theatres in Oakland, Calif., was reported to American Arbitration Association headquarters here yesterday by the San Francisco tribunal.

The decision, handed down in the case brought by the Piedmont Theatre, Oakland, against the five consenting companies and a large number of interested theatres in the city, abolishes the practice in Oakland of figuring first run clearance from the closing day of a "move over" engagement. Donovan C. Peters, arbitrator in the case, held that the practice results in unreasonable clearance over the fifth run Piedmont and directed that in the future first run clearance be computed from closing day at the theatre in which the picture was booked originally.

The arbitrator also reduced the clearance of the fourth run Chimes and Grand Theatres to one day over

(*Continued on page 4*)

Casey Due Today For Union Parley

Pat Casey, producers' labor representative, will arrive from the Coast today to attend the negotiations starting here Monday on new contracts with eight IATSE studio locals.

The negotiations were begun here last September and were adjourned to the Coast when agreements could not be reached. The Coast negotiations ended with agreements being reached with only two of the 10 IA studio locals and were again transferred to New York so that heads of the major companies could participate and make final decisions.

Studio Photographers Local 659, IATSE is contemplating "direct action" in its effort to obtain jurisdiction over all studio cinematographers, and plans to advise company heads at next week's negotiations in New York that they will refuse to work

(*Continued on page 4*)

Albany Variety Club Sets Its First Party

ALBANY, Dec. 29.—The local Variety Club will hold its first public function in its Ten Eyck Hotel headquarters New Year's eve when members and their friends will be entertained at an open house and cocktail party.

The party, announced by Louis R. Golding, chief barker, will be under the direction of a committee headed by Moe Grassgreen.

IA Buys $50,000 In Defense Bonds

The IATSE yesterday purchased $50,000 in Defense Bonds, Richard F. Walsh, president, announced. Walsh said that letters were going out to the 800 locals of the union, urging them to make similar purchases to the extent of their ability to do so.

Pledge Little 3 Not to Defend 2 Suits at Once

BUFFALO, Dec. 29.—Counsel for the "Little Three" were assured by Seymour Simon, special assistant to the U. S. Attorney General, in Federal court here today that they will not be required to defend the Government's anti-trust suit against the Schine Circuit here and the suit in Federal court at New York simultaneously.

Simon said that the Government plans to try the Schine suit first and that the New York suit will not be started until the local suit is concluded. He estimated that it would take at least eight weeks for trial of the Schine suit, which is on the court calendar here now for March 3. The New York case will be called about Feb. 16, Simon said, and at that time Federal Judge Henry W. Goddard probably will set the trial date for some time in April.

This, Simon believes, will give time to complete the trial here and to start the New York trial in time to finish that case by June 1. If the Government has not won a victory over the

(*Continued on page 8*)

Two W.B. Branch Managers Named

Ben Kalmenson, general sales manager of Warners, yesterday announced the appointment of two branch managers. Fred Greenberg, Indianapolis branch manager, has been shifted to Los Angeles, and Claude W. McKean has been named to replace Greenberg in Indianapolis. Greenberg succeeds W. E. Callaway, who joined United Artists recently.

Greenberg joined Warners in 1930 as a salesman with the Kansas City office and was promoted to manager there in 1936. McKean joined Warners two years ago as a salesman. Previously, he had been connected with Fox West Coast Theatres and RKO.

Hellzapoppin' On B'way as Grosses Soar

Record Visitors Influx Jams Show Places

By SAM SHAIN

Extra planes, extra trains, extra buses, besides thousands of private automobiles are bringing thousands of visitors to New York for New Year's Eve, the transportation firms

Theatre attendance throughout the country has shown a decided recovery during the past few days from the slump which followed the war declarations, Barney Balaban, Paramount president, reported yesterday on the basis of statements from the company's theatre associates.

report, and this year's celebration in Times Square promises to be the biggest in more than a decade, despite the war.

"Hellzapoppin'" — on Broadway.

(*Continued on page 4*)

MPPDA Compiling List of Film Needs

WASHINGTON, Dec. 29. — The MPPDA is compiling a list of the industry's estimated requirements for scarce materials for the coming year and when completed will submit it to the motion picture section of the Priorities Division for consideration, it was learned today.

The information is being compiled in response to a questionnaire sent to all industries and to motion picture producers by the Office of Production Management early this month.

OPM officials explained that Francis S. Harmon, executive vice-chairman of the War Activities Committee, M. P. Industry, is now circulating a questionnaire in which the pro-

(*Continued on page 4*)

Year in Review

A review of the year 1941 in the motion Picture industry, as recorded in the day-by-day headlines from *Motion Picture Daily*, appears in this issue, beginning on Page 6.

Deciding on Capital Birthday Ball Today

WASHINGTON, Dec. 29.—At a meeting scheduled to be held here tomorrow, it probably will be decided whether the President's birthday balls for the benefit of paralysis sufferers are to be held as usual next month.

Always a big financial success, due principally to the presence of a dozen or more Hollywood stars, the round of entertainments in Washington hotels now is in danger of being canceled because of the war.

As yet, President Roosevelt has not indicated whether he believes the traditional parties in the nation's capital should be observed on his birthday, Jan. 30.

As coordinator of defense, District Commissioner Russell Young is in the position of discouraging large scale turnouts of the public. But as chairman of the local committee on arrangements for celebration of the President's birthday, he is committed to the policy of raising as much money for the infantile paralysis sufferers as possible. And the birthday entertainments annually raise more than $100,000 here.

Among some members of the local film and theatre industry the feeling prevails that the elaborate parties might be dropped this January and greater stress be laid upon the March of Dimes drive, of which Carter T. Barron, Loew's zone manager, is D. C. chairman.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
LAST TIMES TODAY
"H. M. PULHAM, Esq."
An M.G.M Picture with
HEDY LAMARR • ROBT. YOUNG
RUTH HUSSEY
With the Music Hall's
Great Christmas Stage Show
1st Mezzanine Seats Reserved. Circle 6-4600

BING CROSBY MARY MARTIN
in Paramount's
"BIRTH OF THE BLUES"
IN PERSON
ORRIN TUCKER and Band
featuring
WEE BONNIE BAKER
PARAMOUNT TIMES SQUARE

"Remember the Day"
Claudette Colbert John Payne
PLUS A BIG STAGE SHOW ROXY 7th Ave. & 50th St.

AT LAST IT'S ON THE SCREEN
"HELLZAPOPPIN"
OLSEN & JOHNSON • MARTHA RAYE
UNITED ARTISTS RIVOLI BROADWAY & 49th ST.
MIDNIGHT SHOW. DOORS OPEN 9:30 A.M.

RKO PALACE B'WAY & 47th St.
Starts Tomorrow
"HOW GREEN WAS MY VALLEY"
WALTER PIDGEON
MAUREEN O'HARA

Personal Mention

DAN O'SHEA, vice-president and general counsel for David O. Selznick Productions, is expected here today from the Coast.

•

EARL WRIGHT, 20th Century-Fox; PETER DE FAZIO, Warners; HENRY GERMAINE, Paramount, and WILLIAM CANELLI, RKO, are among the salesmen of New Haven exchanges now on vacation.

•

ALFRED LOHMAN, auditor and office manager for H. J. Griffiths Theatres at Kansas City, is the father of twin girls, born Christmas Day.

•

CARTER BARRON, Loew's zone manager in Washington, has been appointed a captain in the city's auxiliary police force by Police Superintendent EDWARD J. KELLY.

•

RUTH HERMANN is secretary to LES KAUFMAN, Fanchon & Marco advertising head in St. Louis, replacing SHIRLEY SMITH, who is leaving to be married.

LOUIS PHILLIPS, Paramount home office attorney, will leave for St. Paul at the end of the week for the resumption of the Minnesota anti-block-of-five law trial.

•

GEORGE WELTNER, Paramount assistant foreign manager, will return from an extended South American business trip by plane in two weeks.

•

STEVE PALLOS, ALEXANDER KORDA'S Eastern representative, plans to leave for South America at the end of the week on a six-week business trip.

•

NATE GOLDSTEIN, head of Western Massachusetts Theatres, is in New York.

•

LEON SCHLESINGER, cartoon producer for Warners, has arrived here from the Coast to spend two weeks.

•

REGINALD ARMOUR, studio assistant to George J. Schaefer, RKO president, will arrive from the Coast by train on Thursday.

306 Wins Award in J. J. Circuit Dispute

Operators Union, Local 306, yesterday won an award from Harry C. Kane, arbitrator appointed by N. Y. Supreme Court Justice Ferdinand Pecora, in a dispute with the J. J. Circuit operated by Julius Joelson, the union announced yesterday.

According to the union, Joelson acquired the Consolidated circuit of 18 houses, employing about 100 projectionists, seven months ago and shortly thereafter sought a reduction of $35,000 in the annual operators' payroll of approximately $200,000. Arbitration was resorted to under the terms of the basic contract with the union. Kane ruled that Joelson must continue to pay the scale set for Consolidated and, in addition, must grant the five per cent increase provided this Fall under the N. Y. ITOA agreement, the union said.

Loew-Poli Men Are Promoted by Shaw

NEW HAVEN, Dec. 29.—Harry F. Shaw, Loew-Poli division manager, has announced the promotion of Herbert Coleman, former student assistant at the Loew-Poli Theatre here to assistant at the Bijou, replacing Michael Piccerello, who is the new assistant at the Loew-Poli, Springfield.

Boyd Sparrow, formerly at the Springfield house, has been transferred to assistant at Loew's Aldine, Wilmington, Del. Herbert Alpert, former student at the Bijou, has been promoted to assistant at the Lyric, Bridgeport.

'Vanishing Virginian' Premiere Set Jan. 23

M-G-M has set the world premiere of "The Vanishing Virginian" for Jan. 23 at the Paramount, Lynchburg, Va. The film is based on the biography by Rebecca Yancey Williams of her father, Captain Robert Yancey. Frank Morgan portrays Captain Yancey and Kathryn Grayson and Spring Byington are featured. Frank Borzage directed and Edwin Knopf produced.

Merger of 20th-Fox Actions Is Sought

Application by 20th Century-Fox Film Corp. filed yesterday in the N. Y. Supreme Court to consolidate all stockholder actions pending against it as a result of the alleged extortion payments to William Bioff and George E. Browne disclosed that a total of seven suits are now pending against the company.

Twentieth Century-Fox will ask Justice Charles B. McLaughlin on Jan. 5 to stay the filing of any further suits, and to appoint a general counsel to represent all the plaintiffs in the action. Suits ask for an accounting by officials of the company, claiming that the payments were improper.

SOPEG Hears Civil Defense Speakers

The role of the civilian worker in America's war effort and in national unity was described to members of the Screen Office & Professional Employes Guild, Local 109, by A. C. Cohen of the Office of Civilian Defense, and Frederick Myers, C.I.O. industrial counsellor, at a meeting last night at Fraternal Clubhouse.

Theodore Rosen, chairman of the SOPEG defense committee, reported that the organization has reached its $500 defense fund quota. Films showing civilian defense activities were screened at the meeting.

Fire Razes House

ATLANTA, Dec. 29.—The Tenth Street Theatre here was gutted by fire last week. Four firemen were injured, but all patrons escaped uninjured. At the same time, John R. Evins, 69, manager of the house, was buried. He had died the day before.

Named Club Delegates

MINNEAPOLIS, Dec. 29.—William Elson and Joseph Podoloff have been named by the Variety club of the Twin Cities as delegates to the national convention. Alternates are Maitland Frosch and A. A. Kaplan.

Coast Flashes

Hollywood, Dec. 29

LIEUTENANT-Colonel Darryl F. Zanuck will leave for Washington by plane on Thursday to confer with War Department and Army officials on the production of Army training and civilian defense films by the Research Council of the Academy of M. P. Arts & Sciences.

•

James A. Fitzpatrick left for Washington today to confer with J. H. Whitney, head of the film division of Inter-American Relations Commission, on a proposed series of travelogues to be made in Pan-American countries and which would be distributed by M-G-M.

•

William P. Weaver, Hollywood editor of Quigley Publications, has been named to the public relations committee of the Theatre Defense Bureau formed by Mayor Fletcher Bowron, as a division of the Los Angeles Defense Council.

•

"American Cavalcade," a history of America from Pilgrim days to the present, was set by M-G-M today as the next starring vehicle for Spencer Tracy and Katharine Hepburn. Sidney Franklin will produce.

•

Universal has borrowed George Raft from Warners for the starring role in a modernized version of "Broadway," which was made by the company first about 12 years ago. Bruce Manning will produce and do the script with Felix Jackson. Frank Shaw will be associate producer and William Seiter will direct.

Coast I.T.O. Favors War Rentals Relief

LOS ANGELES, Dec. 29.—Relaxation of film rentals and playing terms for exhibitors in areas where blackouts and other war developments have affected patronage adversely was discussed by the Independent Theatre Owners of Southern California and Arizona at a meeting here today.

Fire department officials addressed the meeting and instructed the theatre owners in precautionary measures. The local area has been divided into 10 zones for purposes of preparedness. Robert H. Poole, executive secretary of the organization, presided.

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(*Registered U. S. Patent Office*)
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"DINNER" is ready!



COME AND GET IT.. FROM WARNERS!

Hellzapoppin' On B'way as Grosses Soar

(*Continued from page* 1)

"Big" is the word for the Main Stem's box-office.

"Remember the Day," "H. M. Pulham, Esq.," "Hellzapoppin'," "The Shanghai Gesture," "Birth of the Blues," "Sundown," "Unholy Partners," "You're in the Army Now," "Tarzan's Secret Treasure" and "The Wolf Man" are pictures which are current on Broadway, and all are doing mighty well.

And—the mightiest grosser for this week is "Remember the Day," which with the usual Roxy Theatre's stage show, is running full speed into a new house record of about $100,000, since this theatre embarked on its present presentation policy. The picture will shatter the mark set by "Alexander's Ragtime Band" last year.

Among the festive occasions tomorrow, will be the opening of "Louisiana Purchase," at the Paramount Theatre. This picture will follow an unusually healthy grosser, "Birth of the Blues," which even on its third week will have garnered an unusually excellent figure of $46,000, according to present estimates. Accompanying this film, on the stage, is Orrin Tucker's band. "Louisiana Purchase" will share the program at the Paramount Theatre with Gene Krupa's band on the stage. Another festive moment to come tomorrow will be the opening of M-G-M's "Babes on Broadway," at Radio City Music Hall.

Broadway's houses are opening at 9 o'clock in the morning these days to accommodate the increased patronage.

"Hellzapoppin'," that Olsen and Johnson madcap musical is attracting excellent patronage at the Rivoli, where it is estimated the film will close its first week with a great $34,000.

'Gesture' Is Strong

But—believe it or not (and the critics must bite the dust) among this week's Broadway champions is "The Shanghai Gesture," which is doing as great a business at the Astor Theatre as any film which has played there. Just capacity—that's all! It's been S.R.O. since opening. By present ratings this means fully $22,000.

"H. M. Pulham Esq.," M-G-M's picture at the Radio City Music Hall, accompanied on the stage by the traditional Christmas show of this theatre will do conservatively, it is estimated, about $100,000 this week. That's as big as big can be.

It's Christmas vacation for the kiddies and they are coming in droves with the relatives and friends eager to get in almost any theatre, but many of them show a discriminating taste, the managers state. Good weather has prevailed, too, which has aided the box-office immeasurably—but chiefly, it's been good pictures.

"You're in the Army Now," at Warners' Strand, with Will Osborne's band on the stage, has grossed an estimated $22,000 on the first four days, plenty good. Tomorrow, "The Man Who Came to Dinner," will follow, and Jimmy Dorsey's band will join the new program on the stage Thursday.

At the Globe, "Unholy Partners," the M-G-M picture starring Edward G. Robinson, got off to a walloping start with about $5,200 reported for Saturday and Sunday. This picture should do as much if not more for the remainder of the week, and that's a high-water mark. "Paris Calling" will open at the Globe Jan. 10.

"Tarzan's Secret Treasure," at the Capitol grossed about $14,000 over the weekend, and at the Rialto, "The Wolf Man," is estimated to have grossed about $2,700, for the same period.

There has been no information forthcoming from the armed services with regard to public protection plans over New Year's eve and the following day, but Police Commissioner Louis Valentine has let it be known that the city is taking no chances and will have the biggest detail of police, 2,100 men including their superior officers, on duty in the Times Square area for the holiday, beginning tomorrow, besides air raid wardens throughout the city.

Clearance Award Affects Theatres In Oakland, Calif.

(*Continued from page* 1)

the Piedmont. Theatres involved in the case included those of West Coast Theatres, Transbay Theatres, Solano Theatre Corp., Oakland-Berkeley Theatres and Alameda County Theatres.

The clearance complaint brought by Sol Winokur, operator of the Ritz, Watervliet, Mich., has been dismissed at the Detroit tribunal, the AAA was advised yesterday.

The complaint named Loew's and Warners and the Heart Theatre, Hartford, Mich., and Loma, Coloma, Mich. Paul W. Voorhies, arbitrator, ruled that the clearance of seven to 15 days of the intervening theatres over the Ritz is reasonable. The houses are within a seven-mile radius of each other. Costs were divided among all of the parties.

MPPDA Compiling List of Film Needs

(*Continued from page* 1)

ducers will give information regarding their consumption of various scarce materials, such as steel, copper, rubber and the like, in 1940 and 1941 and their anticipated needs for 1942.

When all the information is in, A. Julian Brylawski, in charge of motion picture priorities, will work with other branches of the OPM in setting up the quantities of materials which will be made available to the industry.

Casey Due Today For Labor Parley

(*Continued from page* 1)

with cinematographers who are not members of the IATSE.

Their fight is directed against the American Society of Cinematographers which has a contract covering first camermen at all major studios. The IA has jurisdiction over all others in camera departments and over cinematographers in independent studios and on locations.

Representatives of all 10 IA studio locals are scheduled to leave for New York this weekend to participate in the negotiations here.

Insurance Policies B & K Xmas Present

Chicago, Dec. 29—Christmas gifts in the form of insurance policies were presented to employes of Balaban & Katz and the Great States circuit in Illinois and Indiana. The gift marked the fourth annual renewal of the insurance plan, the cost of which is borne entirely by the company.

'Love' and Stooges $17,000, Cleveland

CLEVELAND, Dec. 29. — "Appointment for Love" with the Three Stooges on the Palace stage earned $17,000. "Two-Faced Woman" grossed $6,500 here in its third week at the Stillman in a comparatively quiet week hurt by Christmas shopping.

Estimated receipts for the week ending Dec. 18-19:

"Keep 'Em Flying" (Univ.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $5,000. (Average, $4,000)
"Week-End in Havana" (20th-Fox)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $12,000. (Average, $11,000)
"It Started with Eve" (Univ.)
WARNERS' LAKE—(900) (33c-39c-47c) 7 days, 2nd week. Gross: $2,000. (Average, $1,500)
"Appointment for Love" (Univ.)
RKO PALACE—(3,100) (40c-50c-55c) 7 days, Three Stooges, Carol Bruce on stage. Gross: $17,000. (Average, $15,000)
"H. M. Pulham, Esq." (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10,500. (Average, $11,000)
"Two-Faced Woman" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 3rd week. Gross: $6,500. (Average, $4,000)

'York' in Detroit Garners $28,000

DETROIT, Dec. 29.—"Sergeant York" grossed $28,000 at the Michigan. The Fox reported $19,000 with "Swamp Water" and "Unexpected Uncle."

Estimated receipts for the week ending Dec. 18:

"You Belong To Me" (Col.)
"Texas" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,500. (Average, $5,500)
"Sun Valley Serenade" (20th-Fox)
"Whistling in the Dark" (M-G-M)
FISHER—(2,700) (13c-39c-44c-55c) 7 days. Gross: $6,700. (Average, $7,000)
"Swamp Water" (20th-Fox)
"Unexpected Uncle" (RKO)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $19,000. (Average, $15,000)
"Sergeant York" (W.B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $28,000. (Average, $12,000)
"Shadow of the Thin Man" (M-G-M)
"Shining Victory" (W.B.)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 2nd week. Gross: $8,500. (Average, $10,000)
"Look Who's Laughing" (RKO)
"Parachute Balltalion" (RKO)
PALMS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

Speech of Churchill In Montreal House

MONTREAL, Dec. 29.—Prime Minister Winston Churchill's speech at a joint session of the Senate and House of Commons in Ottawa tomorrow afternoon will be heard by patrons attending the Newsreel Theatre here, from 3 to 3:30 P. M.

Special arrangements have been made for the speech to be reproduced directly from the screen of the theatre as it is received by radio pickup and transferred to the theatre sound system.

War Effort to Occupy N.Y. Legislature

(*Continued from page* 1)

the defense formula, there is a general expectation that the blackout situation will importantly concern places of public assembly, including theatres. Throughout the state, many exhibitors have offered their theatres as emergency shelters. More stringent safety inspection of places of public assembly may be in line.

Heading the agenda of direct motion picture legislation of a non-defense nature is consideration again of a measure, certain to be introduced, it is thought there, to equalize the censorship fee on inspection of 16 mm. film. The 35 mm. film is of course subject to a levy of $3 per 1,000 feet on original film and $2 per 1,000 feet on prints, under the law of 1921 which set up the censorship and review features. Since 16 mm. film requires more time for inspection, last year a bill was introduced to raise 16 mm. to a $6 per 1,000 feet fee for originals and $4 for prints. Designed as a revenue raiser for the state, the bill is understood to have the support of the State Education Department, under which film censorship operates. The bill was introduced too late last year for amendment.

Introduction Likely

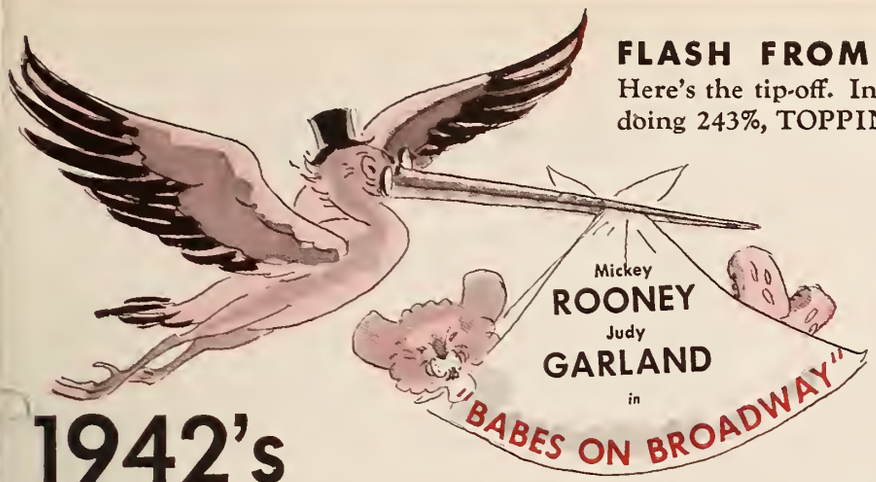
Last year's bill was understood to have been modeled after the Maryland law, but an amendment was needed to make it practicable here. With a year's additional study, its recommendation by the legislature as revenue for the state budget is quite likely.

No action against the consent decree is anticipated, but the old omnibus bill concerning chain stores and circuits may be reintroduced. The general feeling, however, is that little restrictive legislation will be considered during the wartime emergency unless an imperative need for supplementary revenue arises.

Legislation to straighten out the present restrictive penal law against radio and motion picture theatre stage appearances of children under 16 is expected to be reintroduced. Such a bill was passed by the 1941 legisture but vetoed by Governor Lehman. A new measure which meets the objections raised in the executive rejection is expected, as the present law is too stiff, educators say, adding that they are powerless to grant exceptions.

Abolition of fee-charging employment agencies, always of interest to both motion picture and radio circles due to theatrical agencies, is expected to be proposed. For several years Governor Lehman has advocated restrictions on billboard advertising near intersections and along scenic routes. This subject can conceivably be brought to a conclusion in 1942 if avenues for additional revenues are sought.

The war has removed reasons for a change in the censorship to include newsreels, since enemy propaganda will no longer have any chance to get through in this form. The "Seig Im Westen" case is still in the courts.



FLASH FROM MILWAUKEE!
Here's the tip-off. In its first four days it's doing 243%, TOPPING EVERYTHING!



1942's FIRST BLESSED EVENT!

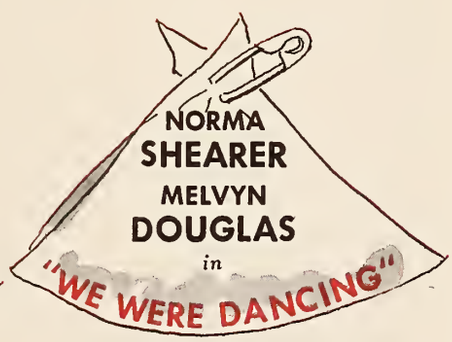
Mickey and Judy in "Babes on Broadway," their biggest show yet, is merrily launched with 400 New Year's engagements from Coast-to-Coast! Clear the calendar for *your* hold-over!



MR. & MRS. LEO WILL KEEP 'EM ROLLING!













More! More! More! "The Vanishing Virginian," the Surprise Triumph with Frank Morgan, Kathryn Grayson • Ann Sothern, Red Skelton in "Panama Hattie" • Greer Garson, Walter Pidgeon in "Mrs. Miniver" • Eleanor Powell, Red Skelton in "Ship Ahoy" • Spencer Tracy, Hedy Lamarr, John Garfield in "Tortilla Flat" • Mickey Rooney, Lewis Stone and all the folks in "The Courtship of Andy Hardy." And More! More! More!



Headlines Record the Motion Picture Year

January

Jan. 2.—Key cities report biggest New Year's theatre business since 1929. Industry faces new legislation and taxation problems as Congress and 43 state legislatures prepare to convene.

Jan. 3.—Government denies intention of settling its Milwaukee anti-trust suit against Ascap, BMI and networks. England completes 57 films in nine months.

Jan. 6.—A bill to prohibit block booking and blind buying is introduced in House. Court dismisses five consenting companies from Government's Nashville anti-trust suit. 2,500 theatres enroll in industry committee cooperating for national defense.

Jan. 7.—British ratify new monetary agreement permitting major distributors to withdraw $12,900,000 from England during year. Universal exercises right to buy preferred stock tendered by its stockholders.

Jan. 8.—Begin negotiations to eliminate networks and BMI from Government anti-trust suit, leaving Ascap a defendant. New York legislature receives varity of bills affecting industry.

Jan. 9.—RCA arranges for demonstration of of theatre television. New five-year contract for Will H. Hays in preparation.

Jan. 10.—Barney Balaban urges Ampa members to "sell industry to the public." Internal Revenue Department reports sharp gain in collections from the admission tax in 1940.

Jan. 13.—Loew's reports 12 months' profit of $8,908,469. W. R. Hearst reported having asked RKO to shelve "Citizen Kane." Industry arbitration boards scheduled to be opened at end of month.

Jan. 14.—Senator Wheeler, isolationist chairman of the Senate Interstate Commerce Committee, threatens industry with legislation to curb alleged "propaganda" in letter to Will H. Hays.

Jan. 15.—Nelson Rockefeller and John Hay Whitney begin organization of industry to aid in improving relations among the Americas. American Arbitration Association establishes fees for industry arbitrators.

Jan. 16.—20th Century-Fox's 1940 British business set new record, Francis Harley reports on arrival from London. Newsreels and radio plan coverage for Presidential inaugural.

Jan. 17.—Will H. Hays denies films "incite to war" in reply to Senator Wheeler. Department of Justice urges exhibitors to support the consent decree.

Jan. 20.—BMI makes bid for exhibitor support in its war with Ascap. Nazis reorganize Holland film trade. Warners report $1,276,316 profit for the first quarter.

Jan. 21.—Little decree effect on circuit film buying foreseen. First clerks for local arbitration boards appointed. See possibility of reopening British monetary pact to negotiate more liberal remittances.

Jan. 22.—Paramount's 1940 profit estimated at more than $7,300,000, best for company in 10 years. New Jersey Allied reelects officers.

Jan. 23.—Paramount completes sales organization changes to begin operations under consent decree. RKO schedules meeting of sales executives to discuss decree operations. Northwest Allied proposes anti-consent decree law for Minnesota.

Jan. 24.—Ascap considers counter-campaign to BMI for exhibitor support in music war. Frank Capra forms own production company in affiliation with David Selznick. RKO to make no changes in sales organization for decree operations.

Jan. 27.—Bill introduced in Congress to free American firms from copyright royalty payments in countries where American currency has been frozen.

Jan. 28.—BMI accepts consent decree ending Federal anti-trust suit. Allied States Association board considers new legislative program.

Jan. 29.—Ascap resumes consent decree negotiations with Government. Joseph Bernhard, presiding at annual Quigley Awards, cites their showmanship value. Universal reports 12 months' profit of $2,390,722 for highest in years. 20th Century-Fox to make no changes in sales organization for decree operations.

Jan. 30.—MPTOA challenges Government views that exhibitors should support decree. Universal plans earliest annual sales convention for Feb. 8. William Freiday resigns as Universal director.

Jan. 31.—Few arbitration complaints in prospect as 31 local boards prepare to open. Montreal theatres prepare for first test "blackout."

February

Feb. 3.—Arbitration boards open in 31 cities; no complaints filed the first day. Allied States supports Government plea to exhibitors to "police" the decree.

Feb. 4.—Personnel of industry's arbitration appeals board is completed. RKO ends war emergency salary cuts. Columbia, United Artists plan early sales conventions like Universal's because of exhibitor concern over decree sales system.

Feb. 5.—B. G. De Sylva named executive producer at Paramount succeeding William LeBaron. Government to file anti-trust suit against Ascap at Milwaukee.

Feb. 6.—Universal to start new season selling in few weeks. Government anti-trust suit against Ascap is filed.

Feb. 7.—United Artists re-purchases Samuel Goldwyn's stock interest in the company and releases him from its distribution contract. Ascap board to discuss consent decree with Government. Universal's new season schedule listed at 42 to 46 features. Joseph Bernhard advocates admission price increases.

Feb. 10.—Washington arbitration board receives first complaint from a Baltimore theatre. Paramount's 1940 earnings placed at $7,617,000, or nearly double the preceding year. Nominations made for Academy's 1940 Awards.

Feb. 11.—Ascap approves U. S. consent decree in principle. Universal opens "earliest" sales convention.

Feb. 13.—Loew's stockholders approve new five-year contract for Nicholas M. Schenck; all directors, officers reelected. Distribution of industry's first national defense subjects is begun.

Feb. 14.—President Roosevelt will address Academy Awards dinner by radio from White House. Senator Wheeler renews attacks on alleged screen and radio propaganda for war. Washington arbitration board receives second complaint, only ones filed in first two weeks of operation of 31 boards.

Feb. 17.—Charge Nazis seek control of films in Argentina. Deal for United Artists purchase of Samuel Goldwyn stock interest to be for cash.

Feb. 18.—Government files amended complaint against Columbia, United Artists and Universal in New York anti-trust case. George J. Schaefer, RKO president, takes complete charge of studio; to appoint J. J. Nolan his assistant.

Feb. 19.—American Arbitration Association selects 440 to serve as arbitrators of industry complaints; complete panels may reach 1,200. Government estimates 1939 theatre gross at $673,045,000.

Feb. 20.—Ascap accepts U. S. consent decree. New York arbitration board receives its first complaint. Nazis exercise strict control of films in France.

Feb. 21.—Northwest Allied's anti-block-of-five bill is introduced in Minnesota legislature. Herman Robbins, National Screen Service president, urges increased and improved theatre advertising to Ampa members.

Feb. 24.—New Federal amusement taxes under consideration in Washington. Ascap designates new negotiating committee to reopen talks with networks.

Feb. 25.—Republic announces new season production plans.

Feb. 26.—Government and Schine Circuit end consent decree discussions in disagreement on expansion of circuit; decrees in Crescent and Griffith suits also unlikely. Atlas Corporation's annual report reveals ownership at end of year of 39 per cent of RKO common stock and 28 per cent of the preferred.

Feb. 27.—Federal court dismisses anti-trust suit against major companies in Wisconsin. RCA report shows large holdings of RKO preferred and common stocks. Julius Joelson to acquire Consolidated Amusement circuit.

Feb. 28.—Academy Award winners announced. Walter Wanger suggests methods of industry cooperation for national defense; will preside at annual Quigley Awards.

March

March 3.—First month of operation of industry's arbitration system sees only 17 complaints filed in 10 of the 31 boards. N. L. Nathonson reported forming new Canadian circuit as his contract with Famous Players Canadian nears end. Method of dividing year's remittances from Britain is decided by arbitrator.

March 4.—MPTOA sets national convention for June 2. H. J. Yates urges Government to give industry free hand in making defense films.

March 5.—Universal management officials given seven-year contracts. Trem Carr resumes charge of Monogram production. Federal court approves Ascap consent decree.

March 6.—NBC makes experiment in color television with live talent. Income tax trial of Joseph M. Schenck begins.

March 7.—Temporary National Economic Committee issues report on industry consent decree. William F. Rodgers makes plea for industry unity in Ampa address.

March 10.—Company purchases of plays for film material at new high. Test blackout at Seattle hurts grosses. Hal Roach plans production of four-reel featurettes.

March 11.—Legion of Decency at Minneapolis said to approve state's anti-block-of-five bill. Blizzard and bus strike hurt New York grosses.

March 12.—National Legion of Decency disavows support for Minnesota anti-block-of-five bill. Deal for purchase of Samuel Goldwyn's United Artists stock is closed. Orson Welles demands that RKO release "Citizen Kane."

March 13.—Minnesota anti-block-of-five bill wins support of House committee as similar measure is introduced in Georgia legislature.

March 14.—Georgia House committee rejects anti-block-of-five bill. Ascap and its officers are fined in Government suit in Wisconsin.

March 17.—First arbitration award under industry's new system is made in favor of exhibitor at Boston. Julius Joelson takes over Consolidated Amusement Enterprises. Delaware resumes Sunday shows following 200-year ban.

March 18.—RKO reported to have made decision to release "Citizen Kane." Universal reelects all officers.

March 19.—Universal completes arrangements for $6,000,000 of new financing. Quigley Awards made on Coast. Legion of Decency makes annual report on films.

March 20.—Minnesota Senate committee approves state anti-block-of-five bill. George J. Schaefer named to head coordinating committee for industry's national defense cooperation.

March 21.—Chicago arbitrator dismisses first specific run complaint. First vote due on Georgia's anti-block-of-five bill.

March 24.—Georgia house defeats anti-block-of-five bill.

March 25.—Federal wages and hours examiner begins studio labor hearings. Industry starts Greek Relief drive.

March 26.—Major companies abandon plans for short wave broadcasts to South America.

March 27.—Y. Frank Freeman reports Paramount plans 38-40 features for new season. Herman Wobber announces 20th Century-Fox's new season plans.

March 28.—United Artists schedules five district sales meetings. First appeal of an arbitration award is filed at Chicago. Screen Actors Guild forbids members to give free radio performances, following Jean Hersholt's criticism of Louella Parsons' air show.

March 31.—William F. Rodgers reveals M-G-M's new season sales and production plans. Block booking and theatre divorcement bills are introduced in Congress. Leonard Goldenson named Paramount theatres head. New five-year contract for Will H. Hays ratified; board to reelect all officers. William Fox pleads guilty to Federal charges.

April

April 1.—Screen is vital to defense, Will Hays says in statement. MPTOA meeting is planned for the Coast in June. Exhibitor wins split decision on clearance.

April 2.—Few arbitration cases filed in circuit strongholds. Censorship planned only in wartime. Hollywood correspondents ask earlier previews.

April 3.—Film men will see television on theatre screen. All arbitration panels are now complete. Talks on again to buy Fairbanks United Artists interest.

April 4.—Selznick to be prominent on U. A. production roster. 53 features are scheduled by Monogram.

April 7.—Anti-five bill approved by House in Minnesota. British exhibitors alarmed by plans of Ministry of Information. Arbitrators see powers restricted. Youngman RKO general counsel.

April 8.—A. A. A. to study arbitration system for possible improvement. 370 theatres are closed in Great Britain.

April 9.—U. A. advances 1941-'42 sales season to May. Over 9,000 houses support defense, Joseph Bernhard reports. Film groups fight Minnesota anti-five bill.

April 10.—Cannot protect chance game, U. S. court holds. Television's future seen in theatres. Briskin named production chief at Columbia.

April 11.—U. A. producers accept 1941-'42 selling setup. Theatre building booms on Coast with 30 unit in work. Pat Casey coming East on new studio pact talks. Army orders 36 theatres for 29 camps.

April 14.—Schine offer for consent decree in trust case refused by U. S. Films' weekly charity gifts total $30,000.

April 15.—Coast unions demand 30-hour week. Study begun on arbitration improvement. Trade against joining copyright pact.

April 16.—U. A. program will include 16 to 20 features. Kent planning 20th Century-Fox meeting for Chicago. Schine asks new complaint in trust suit.

April 17.—Report Nazis take over Paris offices of majors. Max Cohen asks MPTOA stand on Axis films. Joseph Schenck found guilty on two tax evasion counts, Joe Moskowitz on one.

April 18.—RKO planning new $9,500,000 financing. Hays refutes Wheeler charge films incite to war. RKO meeting set for New York June 16.

April 21.—First cases in arbitration filed on Coast. NBC testing film records on television. Industry contributes to Greek relief.

April 22.—Anti-five block bill passed by Minnesota Senate. Harold B. Franklin dies in Mexico City. U. S. protests Nazi grab of majors' Paris offices.

April 23.—U. S. will seek tax base of 10 cents. Paramount profit estimated at $2,600,000 for first quarter. Report Thurman Arnold to seek veto of Minnesota bill.

April 24.—Early buying rush fails to materialize. Schine case trial not possible before September. U. A. realigns sales staff.

April 25.—Joseph Breen resigns as head of Production Code Administration. J. J. O'Connor and Fred Meyers, ranking executives, leave RKO Theatres. Schenck, Moskowitz sentenced.

April 28.—N. L. Nathanson status up at Famous Players Canadian meeting. Television for theatres to cost $30,000. Paramount nets $7,633,130 in 1940.

April 29.—Governor Stassen signs Minnesota anti-five bill. Majors study plan of action in state. Admission tax rise approval is anticipated. Schenck, Moskowitz appeal filed.

April 30.—O'Connor and Meyers to go to Universal. Admission tax of 20 per cent is proposed for Canada. Theatres replacing men ushers with girls.

May

May 1.—Majors may service Minnesota theatres from outside state. A. A. A. meets to speed up arbitration system. Congress considering levy on radio stations.

May 2.—Abram Myers urges U. S. tax on all tickets. Paramount estimates quarter net at $2,475,000. Mutual and Ascap agree on contract. Twentieth Century-Fox accepts Joseph Schenck's resignation as board chairman.

May 5.—Television to go commercial on July 1. O'Conner to be assistant to Nate Blumberg, Universal president. All majors may join in test of Minnesota law. Estimate Universal half-year net at $1,700,000.

May 6.—Majors take $12,900,000 from England under withdrawal deal. Justice Department gets radio monopoly data from FCC. To seek writ halting Minnesota law.

May 7.—Sarnoff sees no commercial television in 1941. Joseph Breen approved by board as administrative head of RKO studio. Average cost of arbitration put at $39.04

May 8.—Oscar Hanson resigns as president of Hanson Circuit in Canada. Ed Kuykendall slated for reelection as MPTOA head. Minnesota not to enforce law pending test.

May 9.—Sixty-two arbitration cases on file in 24 boards. Theatre-size television

Executive Changes Were Highlight of Year

makes bow tonight. Louis B. Mayer tops 1940 salaries.

May 12.—Rental tax plan seen abandoned by U. S. Trade gives $110,000 for Jewish appeal. Canadian tax stirs protest.

May 13.—Congressmen get protests on plan to tax rentals. Reelection of Paramount board expected June 17.

May 14.—Exhibitors are wary about theatre television. Joseph Breen signed as head of RKO studio. Nathanson reported to resign Famous Players Lasky post. Canada 1940 gross total $37,600,000.

May 15.—J. J. Fitzgibbons named Famous Players Canadian president. U. A. first quarter English gross is up 25 per cent.

May 16.—S. R. Kent voted new five-year contract as 20th Century-Fox president. Company quarter profit $404,089. Loew's six-month profit $5,141,135.

May 19.—Trade faces 1,200 bills in 43 states. U. S. seen reluctant to raise tax rate on admissions. G. W. Carver given Variety Club award.

May 20.—Senator Mead to push Axis film ban in Washington. William Bioff is back in Hollywood as labor leader.

May 21.—First theatre television to be in Broadway Rialto. 658 British theatres closed since 1939. Bill in Illinois would limit length of film programs.

May 22.—M-G-M will handle its own sales in Canada. Michigan anti-five measure would hit "little three." Telecasting to start with 30 hours weekly.

May 23.—Allied States reports little benefit from decree thus far. Television in theatres may hit legal snag.

May 26.—Major Bowes resigns as vice-president and managing director of Broadway Capitol. Government indicts Browne and Bioff for extortion. Allied to study attendance drop.

May 27.—Plan theatre organization for defense. FCC plans a revision of policy on television. Grosses down 20 to 30 per cent, Allied board is informed.

May 28.—Twentieth Century-Fox sets sales meeting for July 9-11. Roosevelt radio speech sends grosses down. Varied causes for general decline in theatre business.

May 29.—Maurice Silverstone resigns as operating chief of United Artists. Roosevelt has power to take control of radio. 12,000 theatres expected to enlist in defense drive.

June

June 2.—K-A-O refunding program is ready. Expanded United Artists is planned. Seventy-one complaints filed in four months of arbitration.

June 3.—Universal board to act today on contracts for O'Connor and Meyers. Browne and Bioff out of IATSE negotiations.

June 4.—W. J. Heineman is named assistant sales manager of Universal. Report Coast union demands Browne and Bioff resignations. Protection of free speech is called aim of FCC.

June 5.—Trade ready for start of television in July. All-out drive planned for showing of defense films. U. S. decides on coast labor classifications.

June 6.—Plan fight on Minnesota anti-five law in state court. E. T. Gomersall named Western sales manager for Universal. Gross decline is chief topic before MPTOA convention.

June 9.—Exhibitors gather for Coast MPTOA meeting. 103 pictures set for release this Summer. RKO 1940 loss $988,-191. Columbia outlines 40 of 48 for new season.

June 10.—MPTOA meeting today consent decree has been of small benefit. RKO first quarter profit expected to exceed $600,000.

June 11.—MPTOA demands priority on previews for exhibitors. AFM in drive for orchestras in film houses. Producers to pay $3,000,000 in back salaries.

June 12.—Metro rentals on percentage only foreseen. U. S. told by court to clarify charges against Schine circuit.

June 13.—Report Warners dickering for Associated British circuit in England. MPTOA hits previews hy law critics. Allied calls for all-industry conference at convention in September.

June 16.—New program to be outlined at RKO meeting. Warner operating profit for 26 weeks is $2,782,544. Warners will sell single features in larger situations.

June 17.—RKO screens first block of five films at convention. DuMont weighs entry into theatre television field.

June 18.—Paramount theatre operations gain, reports Balaban. RKO plans 40-45 features next season. Eight-hour, five-day week seen for studios.

June 19.—RKO first block ready July 7. Senator Mead urges U. S. action on Axis film ban.

June 20.—Paramount merges three exchanges in New York area. Majors hold off on selling in Minnesota. Ben Cohen tells of Robin Moor sinking at sea.

June 23.—Nine Chicago houses will ban triples. U. A. expected to announce 18 to 32 for new season. Will Hays names seven committees for MPPDA.

June 24.—Draft laws to restrict Axis product here. U. A. lists nine pictures now ready for selling. Ascap board sets dividend of $1,000,000. Paramount will buy Sparks theatre holdings for $1,350,000.

June 25.—Rodgers sets Metro product for Summer. Selznick to make two for U. A. Allied urges releasing big pictures in Summer.

June 26.—Seek increases in remittances from England. U. S. plans $900,000 production fund for films aimed at South America.

June 27.—Metro sets trade showings in 62 cities. Universal resuming dividend payments on preferred stock. NBC and CBS ready to go on television.

June 30.—Twentieth Century-Fox will sell singly and in groups. NBC has only commercial television license at start. Approve K-A-O financing plan of $8,000,000.

July

July 1.—House approves 10-cent tax base. 84 arbitration cases filed in five months. 21 television stations plan commercials soon.

July 2.—Majors ready to file suit on Minnesota decree. MPTOA calls on studios to stop previews. Applications, union moves mark start of commercial television.

July 3.—RKO reveals details of its trade shows. Warners "streamline" sales setup.

July 7.—Broadway records go as holiday booms grosses. U. S. anti-trust suit against Crescent Amusement opens in Nashville. Industry USO drive starts.

July 8.—Trade given priority on previewing. First 20th Century-Fox block-of-five set.

July 9.—First 20th Century-Fox trade shows set for July 21-25. Picture boom is seen for July, August. Coast critics at sea as preview privileges vanish. U. S. quietly barring Axis films.

July 10.—New tax bill changes seen possible. Expect British houses to go to single bills. Music war halts films for television.

July 11.—Paramount details initial block trade shows. Report M-G-M will resume British production.

July 14.—Industry alert for trade shows. Decline halted at box-office, N. D. Golden says. Odeon claims 100 houses in Canada race with FPC. 20th Century-Fox sets 50 features in new season.

July 15.—Small towns show greatest interest in trade showings. First sponsor for television program set.

July 16.—UA plans to build circuit of first runs. Universal has 50 per cent of 1941-'42 lineup ready. 20th Century-Fox opens annual meeting today.

July 17.—Trade showings' turnout blamed on apathy. Kent declares "sales speed" for 20th Century-Fox.

July 18.—20th Century-Fox and Warners launch trade shows during week. Screen Publicists Guild wins by wide margin in NLRB vote.

July 21.—Three suits filed on Minnesota decree law. Screen doing defense part, Hays says.

July 22.—Theatres start "V" drive against trade shows. Studio visits are banned on all lots.

July 23.—Film, radio securities in British loan. Ascap loss at $20,000,000 in network fight.

July 24.—House gets tax bill tomorrow. Sales heads study trade show reaction. Loew's profit in 40 weeks $7,206,466.

July 25.—Rodgers offered U.A. presidency. Paramount starts trade shows next Monday.

July 28.—Will seek to bar changes in tax bill. U.S. order cuts off Jap film trade.

July 29.—Minnesota anti-five trial delayed to Aug. 8. Warners to set 48 features next season. M-G-M schedules 78 shorts. Court holds all involved in plagiarism responsible.

July 30.—Networks set peace, ending music "war." Warners to screen first three films on Aug. 12.

July 31.—Warners announces titles of 36 for 1941-'42. Concern over trade shows increasing. Roosevelt tells Lasky and Sergeant York, their picture thrilled him.

August

Aug. 1.—Six-month arbitration total 94 cases. Warner 39-week profit $4,433,445. Paramount estimates six-month net at $4,379,000. Allied disowns showings; "Are a bust," says MPTOA. "Sergeant York" to be sold to exhibitors at 50 per cent of gross.

Aug. 4.—Play buys for pictures boom. Big box-office upturn in Fall seen by Sears. Film salaries for 1939 listed by U. S.

Aug. 5.—Tax bill goes to Senate with 10-cent base. McCarthy, Bergman to leave 20th Century-Fox; Horne joins staff.

Aug. 6.—U. A. can't get Rodgers; stays in M-G-M post. FCC decrees station limit in each area. Government rests case in Crescent trial. Theatres suffer loss in Times Square "blackout."

Aug. 7.—M-G-M to show next four in 31 key cities. Will continue with M-G-M, Rodgers says. "Tanks a Million," first Roach 50-minute film reviewed.

Aug. 8.—Universal, Columbia seen as Crescent suit victors. Laraine Day wins "Future Star" ballot by *Motion Picture Herald*. U. S. may call Hays, others in war probe. U.A. 28-week gross above 1940, says Kelly.

Aug. 11.—Columbia dismissed in Crescent suit. U.A. reins in Korda's hands. Allied seeks national group to map "post-decree" course. Decision on Minnesota law due by Sept. 1; court hearing held.

Aug. 12.—Warners get Maxwell circuit interest. Talent exempt from Federal agency bill. Jap credits to be paid by Frisco bank. Sale of CBS talent units approved.

Aug. 13.—See Universal profit for 39 weeks at $3,000,000. Republic sets plans at sales meeting here. Final talks held on Selznick-UA deal.

Aug. 14.—Myers urges levy on all admissions. Paramount reveals pictures for second block. RKO profit estimated at $1,000,000. Eastman six-month profit $10,-460,425. Hundred arbitration cases filed to date. J. Stuart Blackton dies.

Aug. 15.—Newsreels of Roosevelt-Churchill talks await release. Whitney sets Latin-America film mission. 20th Century-Fox reports $861,278 profit for six months. Capra ends UA talks. $11,162,000 new theatre projects for six months.

Aug. 18.—All companies selling 1941-'42 films in Minnesota. Start defense in Crescent suit. U. S. coverage of seat talk called fiasco by reels. New wage scale for actors at major studios starts.

Aug. 19.—Tax on price paid is urged by Kuykendall. F. P. C. starts legal action, names Hanson. Call 15 executives in propaganda quiz. Deny Roosevelt backing censor law.

Aug. 20.—Start talks on British money pact renewal. FPC sues for writ against Odeon-Hanson. Studio locals act on pacts without IATSE. Hope for preventing Mexican strike fades.

Aug. 21.—Commentators will be called by Senate quiz. Decision on Minnesota five-block to be delayed.

Aug. 22.—Senate group seen favoring no exemptions. Industry will tell country of defense aid. Reflection of new world film order in 1941-'42 Motion Picture Almanac.

Aug. 25.—RKO secures new financing of $3,000,000. Japs control all U. S. film properties now. UA producers to finance own films in Great Britain. Paramount theatre partners meet here. India to halve film import quota by Sept. 1.

Aug. 26.—Release dates by territory in new selling. Appeals board bars delay in offering run. Five per cent rise for 700 operators in N. Y. houses starts Sept. 1.

Aug. 27.—Blumberg and Hays to testify before Senate. Richey urges trade defense against attack. See Willkie as probe counsel. Commentator trend away from gossip about screen.

Aug. 28.—Senate unit votes to eliminate all tax exemptions. Companies aid blacklist for Latin America. Freedom of screen seen issue in Senate inquiry.

Aug. 29.—All provisions of decree in effect Monday. Editorial blasts at motives in film probe. Crescent suit decision due in December. Senate raises tax to 15 per cent.

September

Sept. 2.—Senate unit sets scale on 15 per cent tax. Coast reports link Selznick with U.A. Willkie heads film defense before U. S. Senate. Crescent official free in U. S. trial; recess to December. Total of 106 cases in seven months; boards may be reduced.

Sept. 3.—Ask only four film heads to Senate probe. Tremendous is word for Broadway gross. L. A. *Times* to check upon inaccuracies of writers.

Sept. 4.—$191,000,000 revenue seen from new tax. Studio union pact parleys here Sept. 20. Big Five now liable to penalties for decree violation. Paramount votes 25-cent dividend; highest since 1935.

Sept. 5.—Senate kills 15 per cent tax; retains 10 per cent. Screen Actors Guild to "police" all free radio performances.

Sept. 8.—Senate unit will probe forcing of propaganda films. London opens talks on U. S. currency pact. Senate passes 10 per cent tax with 10-cent base.

Sept. 9.—Willkie attacks probe, questions legal authority. Oct. 1 will be effective date of ticket tax.

Sept. 10.—Industry barred from cross-quiz at film inquiry. Loew's year net estimated at $8,200,000. Companies to halt Mexico service if strike continues.

Sept. 11.—Nye-Clark charge unproved: Willkie. Conferees set admission tax start Oct. 1.

Sept. 12.—Willkie asks investigation be halted now. Cooperative held trust law violator.

Sept. 15.—See prolonged industry probe for "publicity." Tax conferees accept Senate exemption cut. Monogram reports $10,897 year net.

Sept. 16.—End probe at once, McFarland insists. Tax confrerees vote levy on all admissions. Allied calls meeting all-industry forum.

Sept. 17.—Allied condemns Senate film quiz. F. D. R. sees no propaganda in recent films. House votes approval of tax measure.

Sept. 18.—Industry defense urged by Rodgers. Botsford named ad and publicity head for 20th-Fox.

Sept. 19.—Allied Officers resign in protest. Universal net is $2,751,864 for 39 weeks. Columbia reports year's profit as $552,743.

Sept. 22.—New season's product deals on increase. Japan to make first payment to companies. Allied leaders foresee joint committee approval.

Sept. 23.—Senator Downey will attack film inquiry. Renew studio labor pact for five years. August tax receipts set new record.

Sept. 24.—Probers' charge false: Downey. IATSE locals conduct own negotiations. Columbia gets $3,000,000 new financing.

Sept. 25. — Public influences pictures: Schenck. Downey to ask Congress to view "Liberty" film.

Sept. 26.—Warner defends picture policy. Report drive in committee to stop probe.

Sept. 29.—Zanuck attacks censor attempt. MPTOA committee named to confer on theatre complaints.

Sept. 30.—New Federal tax begins at midnight. Inquiry total failure, says Representative Costello. Grand jury indicts Dean, Kaufman under racket law in IATSE inquiry. Initial payment to majors by Japanese is made in Frisco.

October

Oct. 1.—Allied units ratify resolution for a national joint committee to promote all-industry relations. 16 arbitration complaints recorded in September.

Oct. 2.—New Federal tax has no effect on grosses. Consent judgment bars Schine circuit in Kentucky from further operation of chance games.

Oct. 3.—Senate propaganda probe may be postponed. New England Allied ratifies joint industry plan.

Oct. 6.—Minnesota's anti-block-of-five-law held constitutional. Browne, Bioff trial sheduled to begin Oct. 8.

Oct. 7.—Majors study Minnesota's block-of-five ruling. Film industry to plan camp shows with Army and Navy. Republic expands production setup.

Oct. 8.—Anti-block-of-five ruling prevents film sales in Minnesota. Exhibitors in Mexico have strike and product shortage problems.

Oct. 9.—Senate propaganda probe postponed indefinitely. Government opens trial against Browne and Bioff.

Oct. 10.—N. M. Schenck tells of deals with Bioff. Paramount debts to be exchanged for one loan. Government order halts building of theatres.

Oct. 13.—IATSE representatives absent from studio negotiations. Mexico's film workers strike settled.

Oct. 14.—Exclusive run ruled out under

(*Continued on following page*)

Radio Silence on Churchill Praised

Washington, Dec. 29.—White House gratification over the voluntary censorship which broadcasters are following was voiced today by Presidential Secretary Stephen T. Early.

Saying the President was "delighted," Early handed the station operators a "well deserved, belated orchid" for maintaining silence regarding the fact that Prime Minister Winston Churchill was on his way to Washington, although it was well known among news men in the capital.

FCC Seeks Data on Foreign Programs

WASHINGTON, Dec. 29.—Moving to bring up to date information compiled some months ago regarding broadcasts in foreign languages, the FCC has sent out a questionnaire to all stations in Continental United States, Alaska, Hawaii and Puerto Rico, asking for full information regarding the number of hours devoted to broadcasts in other than English and a list of languages used.

The questionnaires, to be returned by Jan. 15, are to give information for the period from Nov. 7 to Dec. 6, and from Dec. 7, the date of the attack on Pearl Harbor, to Jan. 5, 1942. Broadcasters are required to state the reasons for any substantial or other significant differences in the figures between the two periods.

CBS, NBC Renew Seven Programs

CBS yesterday announced four renewals, NBC-Blue, three, and NBC-Red announced the expansion of one program. The CBS renewals included: International Silver Co. for "Silver Theatre" over 57 stations; Curtis Candy Co. has renewed the Jackson Wheeler newscasts Saturday and Sunday mornings 11-11:05 A. M. over 41 stations; Lever Bros. has renewed "Bright Horizons" over 58 stations, and Melville Shoe Co. has renewed the John Allen Wolf newscasts over WABC Monday through Saturday, 7:45-8 A. M.

American Home Products renewed two NBC-Blue shows, including "Easy Aces," and "Mr. Keen." Both will be heard over 72 stations, an addition of seven. Sun Oil renewed Lowell Thomas over 24 NBC-Blue stations. Beginning Jan. 4, Kraft Cheese Co. will add 20 new stations to the NBC-Red hookup now carrying "The Great Gildersleeve."

CBS Transmitter Opens Thursday

CBS will dedicate the new 50,000-watt transmitter just completed for its short wave station, WCRC, with a full-hour program starting at the stroke of the New Year. William S. Paley, president, and Edmund Chester, director of short wave and Latin American relations, will speak, Paley in English and Chester in Spanish. Juan Arvizu will act as master of ceremonies for the entertainment portion of the program which will feature Latin American talent.

Year's News in Review

(*Continued from page 7*)

consent decree. Reaction to new FCC rule reported favorable.

Oct. 15.—Report Britain to ease funds due U. S. firms. Money paid to keep labor peace, Schenck testifies at Bioff trial. Erpi to be division of Western Electric.

Oct. 16.—Browne out as AFL vice-president. Wanger leave U. A. CBS musicians on strike.

Oct. 17.—Film probe hit as censorship by Mayor LaGuardia. Paramount may ask decree escape on Minnesota sales.

Oct. 20.—Michigan theatres launch Earl Hudson's plan of films buildup. Eleanor Roosevelt scores Senate probe of films.

Oct. 21.—Minnesota sues majors on "anti-five" breach. Appeals board reverses awards in Manchester, N. H., and San Gabriel, Cal., arbitration cases.

Oct. 22.—Invite Arnold to Senate propaganda hearing. Harry Warner testifies at Browne, Bioff trial.

Oct. 23.—Majors plead not guilty to Minnesota charge. Paramount gave $100,000 to Bioff, Keough states at trial. Distributors face Chinese money withdrawal problem.

Oct. 24.—Majors to get $20,000,000 from England. Report Bernhard to be given wider duties at Warners.

Oct. 27.—Kalmenson is Warners sales head; Sears resigns. Currency withdrawal from England for new year may aggregate $37,500,000, Hays Office reports.

Oct. 28.—Kalmenson calls meeting of Warner branch heads. Grosses boom on Broadway.

Oct. 29.—Bernhard appointed Warner vice-president. Bioff grilled on false oaths.

Oct. 30.—Sales heads to meet with Allied on unity plan. Blumenstock named national ad chief for Warners. Ascap music returns to networks.

Oct. 31.—"Junior Hays Office" formed by producers. Paramount to sell away from National Theatres units. Film arbitration budget expected to be $450,000. Paramount 39 weeks earnings estimated at $7,450,000.

November

Nov. 3.—Paramount gets decree "escape" for Minnesota. Warners appoints new district heads and branch chiefs. 10-month arbitration cost estimated at $190,000.

Nov. 4.—Odlum and Rockefeller deprecate reports of Schaefer's leaving RKO. Majors receive $7,000,000 from London. Set maximum theatre admission in Canada.

Nov. 5.—Estimate Universal net for year at $4,000,000. Kinematograph Renters Society, England, rejects resolution for percentage bookings only.. M-G-M exhibitor forum set for Nov. 25.

Nov. 6.—Browne-Bioff case to jury today. Cole scores rental terms as excessive. Keith Albee Orpheum Corp. reports 39-week net profit at $368,418.

Nov. 7.—Browne, Bioff guilty as charged. Comedies dominate new season product. 7,841 theatres collected $943,684 in U. S. O. drive.

Nov. 10.—Demand seen for Browne's replacement in IATSE. Minnesota product situation seen as acute.

Nov. 11.—Richard Walsh chosen as new IATSE head. 150 Canadian theatres in test blackout. Coast exhibitors urge films to Army ahead of theatres.

Nov. 12.—Minnesota block-of-five trial set for Dec. 15. Walsh pledges IATSE clean-up. Broadway has smash Armistice Day business.

Nov. 13.—Bioff gets 10 years; Browne sentenced to eight. Majors named in Nebraska, anti-trust suit. RKO and 20th Century-Fox ask exemption on Minnesota sales.

Nov. 14.—$319,000 year budget is set on arbitration. NBC and Mutual move to drop broadcasts from Berlin. RKO reports 39-week net profit of $664,774.

Nov. 17.—Loew's to decide today on application for exemption from Minnesota decree law. Martin Quigley discusses film contribution to democratic ideal. Nebraska to air anti-trust charges against Goldberg circuit and distributors today.

Nov. 18.—Sears and Raftery head United Artists. Legion condemned seven of 521 films in year. Films to Latin America to be truthful, says Whitney.

Nov. 19.—Minnesota theatres seek films to avoid closing. Average cost of arbitration put at $87.87. New York Times-WMCA in news broadast deal.

Nov. 21.—Thanksgiving grosses strong over U. S. Disagreement delays British fund division. Republic acquires Bromberg Atlanta franchise.

Nov. 24.—Connors will be assistant to Sidney Kent. Full authority to Schaefer in RKO, report. $50,000 is film contribution to Red Cross.

Nov. 25.—M-G-M forum in Ohio today. Monogram product now available for television.

Nov. 26.—Majors named in Atlanta anti-trust suit. Kent-Connors deal revealed. Leserman appointed N. A. general sales manager. Nicholas M. Schenck to head film committee for 1942 March of Dimes.

Nov. 27.—U. S. decree "unworkable," Myers says. Yule bonus to thousands at Coast studios in retroactive wage rises. Senate probe of films off indefinitely.

Nov. 28.—Place ceiling on film rentals in Canada. Boston bans "Two-Faced Woman"; Pennsylvania approves. CBS seeks FCC license for commercial television. Warners' year profit is $5,429,302.

December

Dec. 1.—O'Shea becomes Eastern sales head of M-G-M; Flynn named manager of Central division. Producers to get allocations on defense materials. Government weighs priority for 25,000 television receivers.

Dec. 2.—Universal and United Artists not to attend unity meeting. See failure of Minnesota law to afford relief. Ascap's distribution drops to $2,700,000 this year.

Dec. 3.—New York censor bans only eight films in year. RCA theatre television off for emergency. Nathanson handles M-G-M Canada sales.

Dec. 4.—Full authority in RKO given to Schaefer. Two and a half per cent slash in British quota is proposed. McCoy named Warner division manager.

Dec. 5.—Schaefer and N. M. Schenck approve unity. Los Angeles churches asked to bar Garbo film. Court rules theatre has right to seek writ on jurisdictional picketing.

Dec. 8.—Solid front is aim of Chicago unity meeting. U. S. seeks to speed trial of Schine action. Oscar Deutsch dies.

Dec. 9.—War news cuts national gross. Conciliation is goal of unity meeting. Industry pledges service and support to Roosevelt.

Dec. 10.—Unity group maps industry programs. War jitters slash gross over country. Garbo picture is revised by Metro.

Dec. 11.—Industry adopts basis for unity. Call New York exhibitors to air raid meeting. Bert M. Stearn named U. A. Western sales head.

Dec. 12.—Coast studios on day shifts for blackouts. Study radio procedure in raid alarms. Variety clubs aid industry, Ampa meeting told.

Dec. 15.—All New York theatres prepare for raids. Films are leading entertainment at Army camps. See U. S. asking extension of decree escape clause.

Dec. 16.—Management officials to be on U. A. board. Open defense case in Minnesota criminal trial. Broadway cleared quickly in test raid for newsreels.

Dec. 17—U. S. to censor communications. Realignment of RKO effected by Schaefer. Universal hears that Far East is 55 per cent normal.

Dec. 18.—Frank C. Walker heads Government group to study censorship. Willkie cites film censorship in war crisis. "Two-Faced Woman" given "B" classification by Legion of Decency.

Dec. 19.—Big New Year business expected on Broadway. Bob Hope wins MOTION PICTURE DAILY radio poll. War cancels 1942 Academy Award banquet.

Dec. 22.—Blackouts of marquees in future seen. MPTOA weighs abandoning its annual meet. NAB issues guide for broadcasts of news.

Dec. 23.—Daylight time move seen as film problem. Procedure of Los Angeles houses in war outlined. Loew's plans refunding of $18,000,000. Kirsch urges patron drive; Connecticut Allied opposes decree.

Dec. 24.—Lowell Mellett to head Government films. Loew loan of $18,000,000 is arranged. Release of Nebraska members by Ascap seen move for law repeal.

Dec. 26.—Exhibitors vote Mickey Rooney box-office champion in *Motion Picture Herald-Fame* poll. Loew's sues operators' union on trust charge. To incorporate "Hey Rube" organization as national group.

Dec. 29.—Ascap waives back royalties in Washington. Price names John H. Ryan censor aide on radio. Koerner realigns RKO divisions to aid supervision. Edwin W. Aaron named assistant general sales manager of M-G-M.

manager.

Pledge Little 3 Not to Defend 2 Suits at Once

(*Continued from page 1*)

Little Three by June 1 the trade show and blocks-of-five provisions of the consent decree will expire. However, the Government has indicated that, if it cannot conclude the trial against the Little Three by June 1 it will petition Judge Goddard for an extension of the escape clause deadline to some date after June 1. In this event, the trade show and blocks-of-five provisions might be perpetuated for another year, since the new selling season would be getting under way at that time.

Today's hearing in U. S. District court here was on a motion by Willard S. McKay, attorney for the Schine Circuit, requesting Federal Judge John Knight to reconsider his earlier action setting March 3 as the date for the start of trial of the Government suit here. McKay asked for a delay beyond that date on the grounds that the Government has not satisfactorily answered his interrogatories and that, in consequence, he will be unable to prepare his defense by that date.

Counsel for Universal, United Artists and Columbia also petitioned the court for a later trial date on the ground that they would be forced to prepare for and defend two Government actions simultaneously unless the trial date is changed.

Judge Knight reserved decision on the motion after two hours of listening to opposing counsel.

Plan Censorship Parleys for Radio

WASHINGTON, Dec. 29.—Conferences with the broadcasting industry on the matter of censorship during the present war period will be scheduled "from time to time," FCC Chairman James L. Fly, said today in a joint press conference with John H. Ryan, assistant director of the Office of Censorship.

Fly said that as the war progresses new curtailments affecting radio broadcasting undoubtedly will occur which will make it necessary to call in representatives of the radio industry for consultation as to how best to approach their problems.

As to priorities, the chairman said that the commission had been studying the situation and "was ready," but that there had been some reorganization with respect to the OPM which still remained to be settled.

The newspaper-radio hearings, Fly said, would be resumed on Jan. 8. There had been some discussions with reference to the filing of briefs, he said, but up to this time no briefs had been filed nor had any of the parties of interest asked for a postponement.

Time to Red Cross

The Texas Co. has donated the New Year's Eve period from 9-10 P. M. over CBS to the Red Cross. Mrs. Franklin D. Roosevelt, Jane Cowl and Buddy Baer will be heard in addition to the usual Fred Allen cast.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 128 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 31, 1941 TEN CENTS

Loew's Year Net Profit Up to $11,134,593

Compares with $8,908,470 for Previous Year

Loew's, Inc., yesterday reported net profit for the year ending Aug. 31, 1941, of $11,134,593, equivalent to $6.15 per share on the common stock, after deduction of the preferred dividend. Nicholas M. Schenck is president of Loew's, Inc.



N. M. Schenck

The net compares with net profit for the year ended Aug. 31, 1940, of $8,908,470, equal to $4.82 per common share.

The statement includes wholly or partly owned subsidiaries and affiliated corporations. Operating revenues for the fiscal year

(Continued on page 6)

Kalcheim Resigns Para. Talent Post

Harry Kalcheim, head of Paramount's theatre talent booking department, has resigned that post effective immediately, Leonard Goldenson, in charge of Paramount theatre operations, announced yesterday. Kalcheim has been in charge of the home office department since 1933.

Harry Levine, Kalcheim's assistant for the past several years, has been named to succeed him as head of the department.

Kalcheim's future plans are not known, but are expected to be disclosed upon his arrival from the Coast today.

Metro Will Resume Forums Next Month

On the theory that exploitation and theatre sales efforts are more essential in war than peace, M-G-M will resume exhibitor forums in various parts of the country in mid-January to give wider circulation to its selling aids, the company announced yesterday.

Forums will be held at the Peabody Hotel, Memphis, Jan. 13, and at

(Continued on page 6)

Holds 16mm. Showing Is Violation of Copyright

Los Angeles, Dec. 30.—The exhibition of a copyrighted film for direct or indirect profit constitutes an infringement despite ownership of a 16mm. print, Federal Judge Ralph Jenney ruled today in granting a permanent injunction against Edward Kohn, operator of the Movie Parade Theatre, who had been showing Charlie Chaplin films at his silent revival house.

The court ordered Kohn to pay Festival Films, Inc., of New York, the plaintiff and owner of the copyrights, $3,500 in damages, assessed on the basis of $250 for each day of unauthorized exhibition. It was established by the testimony that several firms are engaged in selling or renting 16mm. films but the court ruled that unless licenses were granted by the owners of the copyright for exhibition for profit, such showings were in violation of the Federal copyright law.

"This injunction," the court ruled, "shall not restrict private exhibitions

(Continued on page 8)

Capital Grosses Off Slightly in Blackout

Washington, Dec. 30. — Theatre business was only slightly below normal tonight despite voluminous advance notice of the blackout rehearsal which was held between 7:45 and 8 P. M.

During the alert period, house fronts were darkened and ticket sales came virtually to a standstill. Nothing eventful was reported by any of the downtown theatres, where few patrons, if any, noticed that the film sound was stepped up to drown out the warning sirens. It was the first effective blackout test held in the capital.

All theatre personnel were well prepared for the blackout.

Following a plan which was adopted last week at a meeting called by John J. Payette, Warner Bros. zone manager and deputy air raid warden for

(Continued on page 8)

Unity Group to Meet In New York Jan. 21

Chicago, Dec. 30.—The second meeting of the Motion Picture Industry Conference Committee on all-industry unity has been called for Jan. 21 at the Warwick Hotel, New York, by Jack Kirsch, temporary chairman. All members of the main committee and sub-committees have been invited. Financing and the placing of the committee on a permanent basis will be discussed and the appointment of a full-time executive secretary considered.

'Citizen Kane' Is Voted Best '41 Film By Critics of N.Y.

"Citizen Kane," written, directed and produced by Orson Welles for RKO, was voted the "best motion picture of 1941" by the New York Film Critics, in their seventh annual vote.

Gary Cooper was voted the actor who gave the year's outstanding performance, for his role in "Sergeant York," Warner film; and Joan Fontaine was named the year's "outstanding actress" for her work in RKO's "Suspicion," Alfred Hitchcock film.

John Ford won the director award

(Continued on page 6)

Glazer Named Col. Chief in Canada

Sam Glazer, Canadian general manager for United Artists for the past year and on the company's Canadian sales staff since 1923, has resigned to become general manager of Columbia Pictures of Canada, Ltd.

Glazer succeeds Dave Coplan, who resigned several days ago.

Senate Bill Authorizes President To Change Time Throughout Nation

Washington, Dec. 30.—Legislation authorizing the President to change the nation's hours was introduced in the Senate today by Senator Burton K. Wheeler, chairman of the Interstate Commerce Committee.

Wheeler submitted a bill which would permit the President to advance or retard the clock by not more than two hours at any time during the present emergency or for six months thereafter.

Bioff, Browne Sued by Para. For $100,000

Cite Extortion Payments to Former IA Heads

Paramount yesterday brought suit in U. S. District court here to recover $100,000 from William Bioff and George E. Browne which it allegedly paid the former IATSE officials "unwillingly and under duress."

The complaint, filed by Simpson, Thacher & Bartlett, counsel for Paramount, asserts that between May, 1936, and January, 1938, "the plaintiff, pursuant to demands of the defendants and under duress, paid to the defendants sums of money aggregating $100,000, which the defendants received and retained for their own use and benefit."

The complaint charges further that the sums were obtained by Bioff and Browne by means of extortionate and illegal demands and by threats of strikes.

Bioff and Browne are now serving prison sentences of 10 and eight years, respectively, following their conviction in Federal court here in November of extorting more than $500,000 from Paramount, Loew's, 20th Century-Fox

(Continued on page 6)

Coast ITO Seeks Duals Elimination

Los Angeles, Dec. 30.—About 70 members of the ITO of Southern California and Arizona voted unanimously at a meeting here last night in favor of abolishing double features under wartime conditions.

The meeting also approved a resolution to sound out exhibitor sentiment on the subject in other parts of the country with a view to the possibility of obtaining concerted action on a wide scale for the restoration of single features.

In this area, where double features are rampant and grosses have been off considerably since the outbreak of war, many exhibitors reportedly be-

(Continued on page 8)

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, New Year's Day.**

Coast Cities Ban Welcome to 1942

San Francisco, Dec. 30.—As a civilian defense precaution, authorities of this city have joined Los Angeles in banning street celebrations on New Year's Eve. A similar ban will be in effect in Seattle.

300 N.E. Theatres In Dimes Campaign

More than 300 New England theatres have enrolled to make lobby collections in the industry's 1942 March of Dimes drive, Jan. 22-28, according to M. J. Mullin, New England chairman.

The county chairmen include: Maine—C. J. Russell, C. Stoddard, Charles Brooks; Massachusetts—Hy Fine, J. Goodwin, R. Sternberg, F. McManus, H. Wasserman, John J. Ford, A. Garbose, Nathan Goldstein, Louis M. Gordon, Irving Green, Max Melincoff, Charles E. Kurtzman, Samuel J. Kurzon, Max L. Levenson, E. M. Loew, Francis C. Lydon, Joseph Methieu; Harry McDonald, George A. Ramsdell, Herman Rifkin, Charles Morse, Philip Smith, Ralph E. Snider, Al Somerby, E. Harold Stoneman; Rhode Island — W. Spragg; Connecticut — Harry F. Shaw; New Hampshire—John B. Eames, E. Fahey.

Warner Will Employ Girl Ushers in Phila.

PHILADELPHIA, Dec. 30.—Warner theatres here will use girls as ushers shortly after the first of the year. The usherettes, now being selected by Jack Goldman, will be introduced at downtown houses.

At the annual managers meeting of the zone several months ago, Ted Schlanger, zone chief, revealed that the circuit would employ girl ushers because of the shortage in male help.

E. K. Bonus $4,200,000

ROCHESTER, Dec. 30.—Eastman Kodak Co. here will pay a bonus to employes March 13. The company will distribute $4,200,000.

Leaves RKO Post

INDIANAPOLIS, Dec. 30.—G. L. Heinrich is resigning as booker of the Indianapolis RKO branch after 20 years with the company.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!" —*Life Magazine*
GERTRUDE LAWRENCE
In the Musical Play
"LADY IN THE DARK"
ALVIN, 52 St. W. of B'way—Mats. Wed. & Sat.

"A GREAT SHOW."—*Herald Tribune*
50c, $1 & $1.50 PLUS TAX NO HIGHER
2ND YEAR — 2ND EDITION of the Sensational Musical Icetravaganza
IT HAPPENS ON ICE
at America's Only Ice Theatre
Center Theatre, Rockefeller Center. CO. 5-5474
Eves. except. Mon. Mats. New Year's, Sat.-Sun.
501 Seats for Every Perf. 50c. EVGS. AT 8:40

Personal Mention

AL LICHTMAN, vice-president of M-G-M, is in town from the Coast.

•

JAMES R. GRAINGER is due from the Coast early next month.

•

J. R. McDONOUGH left Hollywood yesterday for Newark to attend his mother's funeral.

•

HAL HORNE and DICK CONDON are expected to leave the Coast today for New York.

•

JACK DARROCK of 20th Century-Fox has arrived on the Coast.

•

GEORGE DINDAS, manager of the Broadway Strand, is the father of a son, born to MRS. DINDAS at Polyclinic Hospital. The baby weighed seven pounds, 11 ounces.

•

WILLIAM K. SAXTON, city manager for Loew's in Baltimore, will spend the New Year holiday with his family on Long Island.

•

CLARA KRAFTSOW, Paramount secretary in Philadelphia, has returned from Florida, where she recuperated from a recent illness.

•

KATHRYN LAVALLE has left Republic in New Haven to be married, and has been replaced by MARY BERNARDO.

SAM GALANTY, Mideast division manager for Columbia, at Washington, and ANNABELLE LEE ROUSSEAU of Alabama were married at the Shoreham Hotel, Washington, on Christmas Day.

•

FRANK SCHIFFRIN of the Leo Brecher Circuit and MRS. SCHIFFRIN will celebrate their 25th wedding anniversary on Saturday.

•

ISADOR PERLIN, manager of the Colonial, Atlantic City, has returned from a Washington vacation.

•

MRS. JOSEPH SHULMAN of the Rivoli and Webster Theatres, Hartford, Conn., is vacationing in Hollywood.

•

ED CONNELLY of the Warner home office publicity department, has enlisted in the Army and leaves Jan. 6 for Fort Dix.

•

ELLIOT KRONISH, formerly on the Loew-Poli staff in New Haven, has enlisted in the Army.

•

NORRIS J. NELSON, who recently resigned as assistant manager of the Stanley, Baltimore, to become an accountant, has resumed his former post at the theatre.

•

ROBERT ANDERSON, doorman at the Fox theatre in Spokane, has enlisted in the Navy.

Loew, Paramount Sponsor Contest

Loews' and Paramount are sponsoring a contest among managers of Loew theatres in the New York area with prizes of $2,000 in defense bonds offered by Paramount to those showing the best results with eight of Paramount's current films.

Additionally, $8,000 has been appropriated by Paramount for special advertising and for prizes for theatregoers who will also figure in the contest. It is known as the "Box-Office Battle of the Boroughs."

The contest opened Monday, Dec. 29, and will close when all eight pictures have been played in the competing theatres. The manner in which the public will compete is to be worked out shortly, it is said.

Carolina Exhibitors Will Meet on Jan. 18

CHARLOTTE, N. C., Dec. 30.—The Theatre Owners of North and South Carolina will hold its annual convention at the Hotel Charlotte here Jan. 18-19, with Ed Kuykendall, MPTOA president, as chief speaker. Thomas A. Little of Charlotte is general chairman of arrangements.

Hawkinson Rites Held

Funeral services were held yesterday at the Fairchild Chapel, Flushing, L. I., for Marie E. Hawkinson, 76, mother of Robert E. Hawkinson, Latin American division manager for RKO. Mrs. Hawkinson died last Sunday of heart disease at Flushing Hospital. Burial was in Flushing Cemetery. Four daughters survive besides the RKO executive, who is now in Buenos Aires.

Sues Joelson on Circuit Purchase

Harry Thoens & Co., Inc., has filed suit in N. Y. Supreme Court for $50,000 in commissions allegedly made on the purchase of Consolidated Amusement Enterprises against Julius Joelson, circuit owner. The plaintiff charges the breach of an alleged contract made in December, 1938, under which Thoens was retained by Joelson to obtain a New York theatre circuit for purchase by the defendant. The complaint alleges that Thoens negotiated the sale by Consolidated of its theatres to J. J. Theatres, Inc., a corporation allegedly owned by Joelson.

WB to Tradeshow Five Films Feb. 2, 3

Warners will nationally tradeshow five forthcoming features Feb. 2-3. Pictures which will be shown are: "The Male Animal" and "Always In My Heart," Feb. 2, and "Bullet Scars," "Juke Girl" and "The Enemy Within" on Feb. 3.

"Captains of the Clouds" will be tradeshown by Warners Jan. 19.

Show 'Fantasia' Jan. 19

RKO will hold trade showings of Walt Disney's "Fantasia" in all exchanges Jan. 19, it was announced yesterday by A. W. Smith, Jr., sales manager.

Show for Children

PHILADELPHIA, Dec. 30.—The local Paramount exchange played host to 800 underprivileged children from public institutions yesterday at Warner's Uptown. Souvenirs were distributed by Earle W. Sweigert, Paramount district manager, and candy by Jack Beresin.

Newsreel Parade

WINSTON CHURCHILL again takes the lead in the newsreels. He is seen with President Roosevelt at the White House and addressing Congress. War news includes the arrival in California of a torpedoed freighter with 31 survivors. The reels and their contents:

MOVIETONE NEWS, No. 33—Churchill in Washington. Gary, Ind., steel mill blackout. Retread tires in Ohio. Freighter towed to California port after submarine attack. Gloria Vanderbilt weds in Hollywood. Tennis at Madison Square Garden. Horse racing in New Orleans.

NEWS OF THE DAY, No. 231—Churchill before Congress; Foreign diplomats at White House. Pearl Harbor heroes honored. Jap Embassy in Washington for rent. Gloria Vanderbilt takes a husband. Pandas from China in San Francisco. Torpedoed freighter towed into California port.

PARAMOUNT NEWS, No. 36—Survivors of sub attack arrive in California. Cruiser "Atlanta" goes into service. Bing Crosby's sons buy defense bonds. Two pandas from China in San Francisco. Churchill in Washington.

RKO PATHE NEWS, No. 36—Roosevelt, Churchill and Congress. Jap baby submarine in Hawaii. Pandas from China in San Francisco. Torpedoed freighter on West Coast. Tennis at Madison Square Garden.

UNIVERSAL NEWSREEL, No. 45—Churchill before Congress; Foreign diplomats at the White House. Freighter on West Coast after sub attack. Jap baby sub in Hawaii. Tires recapped in Ohio. Gloria Vanderbilt's wedding in Hollywood. Basketball at Madison Square Garden.

Theatre Ad Slogan Urges War Effort

PHILADELPHIA, Dec. 30.—Calling attention to pictures as a morale booster, and at the same time urging continued sales of defense bonds and stamps, William Gerst, manager of Hunt's Rockland, has adopted the following slogan for all his newspaper advertising:

"Let Nothing Stop Us! Keep Up the Morale by Attending Your Favorite Theatre! Keep Up the Fight for Freedom By Buying Defense Bonds and Stamps!"

Shubert Son a Producer

John Shubert, son of J. J. Shubert and nephew of Lee Shubert, is listed as producer of "Johnny on a Spot," which is scheduled to open at the Plymouth on Jan. 8. Charles MacArthur wrote and directed the play.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)

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This TWO-FACED MAN was very UNHAPPY until he saw



THE TWO-FACED WOMAN and now he's ALL SMILES! and so is his BOX-OFFICE!



GARBO

MELVYN DOUGLAS

TWO-FACED WOMAN

with

CONSTANCE BENNETT • ROLAND YOUNG

ROBERT STERLING • RUTH GORDON

Original Screen Play by
S. N. Behrman, Salka Viertel and George Oppenheimer

Directed by GEORGE CUKOR

Produced by GOTTFRIED REINHARDT

A Metro-Goldwyn-Mayer Picture

The public has accorded this delightful entertainment an enthusiastic reception. In her first picture since "Ninotchka" Miss Garbo again reveals her skill at delicious good fun. A bright spot in a serious world, this spirited M-G-M attraction is doing an outstanding business at the box-office.

'Dumbo' Gets Fair $15,000; Chicago Slow

CHICAGO, Dec. 30. — Loop grosses suffered from the usual holiday inertia. The Palace, with "Dumbo" and "Unexpected Uncle" drew $ 15,000, and "I Wake Up Screaming" and Tony Martin in person at the Chicago gathered $36,000.

Estimated receipts for the week ending Dec. 25:

"Confirm or Deny" (20th-Fox)
APOLLO—(1,400) (30c-40c-59c) 7 days. Gross: $5,100. (Average, $5,000)
"I Wake Up Screaming" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Tony Martin. Gross: $36,000. (Average, $32,000)
"Sergeant York" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 4th week. (9th week in Loop). Gross: $5,200. (Average, $5,000)
"Melody Lane" (Univ.)
ORIENTAL—(3,200) (25c-35c-40c-50c) Stage: "Bowery Follies" unit. Gross: $16,000. (Average, $16,000)
"Dumbo" (RKO)
"Unexpected Uncle" (RKO)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $15,000. (Average, $13,000)
"Unholy Partners" (M-G-M)
"Target For Tonight" (W.B.) 5 days, 3rd week
"Texas" (Col.)
"Henry Aldrich for President" (Para.) 2 days
ROOSEVELT—(1,500) (30c-40c-59c) 7 days. Gross: $10,000. (Average, $11,000)
"Honky Tonk" (M-G-M)
STATE-LAKE—(3,700) (40c-44c-55c-75c) 7 days, 4th week. Gross: $11,000. (Average, $14,000)
"Two Faced Woman" (M-G-M) 1 day, 4th week
"One Foot in Heaven" (W.B.) 6 days
UNITED ARTISTS—(1,700) (30c-40c-59c) 7 days. Gross: $15,000. (Average, $14,000)

'Wolf Man' $7,000 Cincinnati Leader

CINCINNATI, Dec. 30.—"The Wolf Man," with a $7,000 gross at the RKO Grand, was the only picture to get above average during Christmas week, which was marked by the traditional holiday slump in attendance. The weather was mild.

Estimated receipts for the week ending Dec. 24-27:

"New York Town" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $8,600. (Average, $12,000)
"Dumbo" (RKO)
"Tanks a Million" (U.A.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $9,200. (Average, $10,000)
"Swamp Water" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 2nd week. Gross: $4,300. (Average, $5,000)
"Design for Scandal" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,300. (Average, $5,500)
"The Wolf Man" (Univ.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days. Gross: $7,000. (Average, $5,000)
"Great Guns" (20th-Fox)
RKO LYRIC—(1,500) (28c-33c-42c) 7 days, 2nd week. Gross: $2,900. (Average, $4,500)
"The Masked Rider" (Univ.)
"Buy Me that Town" (Para.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,000. (Average, $1,200)
"Down Mexico Way" (Rep.)
"Hard Guy" (PRC)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"New Wine" (U.A.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $2,900. (Average, $5,000)

Metro Shifts Booker

CHICAGO, Dec. 30.—Don Eckman, formerly of the M-G-M Milwaukee office, has been added to the booking department of the Chicago branch.

Notes from Hollywood

Hollywood, Dec. 30

PRODUCTION news of the week centered in the casting of top players by various studios in a number of pictures, Paramount having the largest numerical representation with the announcement of new roles for more than 10 players. MADELEINE CARROLL and LYNNE OVERMAN join FRED MACMURRAY in the cast of "The Forest Rangers," to be made in Technicolor from the THELMA STRABEL story.

BURGESS MEREDITH will be starred in "Black Curtain," from the best selling mystery by CORNELL WOOLRICH. SUSANNA FOSTER got two roles—one in "Dancing Debs" and the other in "Merton of the Movies."

CONSTANCE MOORE was set as ROSALIND RUSSELL'S rival in "Take a Letter, Darling." "Washington Escapade" has as the first member of the cast MARTHA O'DRISCOLL. RICHARD DENNING goes into "Wake Island," based on the heroic defense of the Americans there. MARY ASTOR was set for "The Palm Beach Story," Claudette Colbert-Joel McCrea vehicle. . . . ELLEN DREW and VERA VAGUE will support HUGH HERBERT in "Mrs. Wiggs of the Cabbage Patch."

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Alexander Korda announced he would star Merle Oberon in "War and Peace," from the great Tolstoy work. . . . Claire Trevor will support Cary Grant, Jean Arthur and Ronald Colman in Columbia's "The Gentlemen Misbehave," formerly "Mr. Twilight." . . . Another Columbia casting was Melvyn Douglas in "He Kissed the Bride," which Alexander Hall will direct.

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Warners placed ANN SHERIDAN and DENNIS MORGAN in "Aloha Means Goodbye," from the *Saturday Evening Post* story. It deals with Jap espionage at Pearl Harbor and other Pacific points. . . . HUMPHREY BOGART'S next vehicle for Warners will be "Escape From Crime," formerly called "The World Is Ours," in which BRENDA MARSHALL will have the co-starring role. . . . RKO borrowed JANE WYMAN from Warners for the second feminine lead in "My Favorite Spy." VIRGINIA GREY gets the second feminine lead in M-G-M's "Tarzan Against the World." . . . GABRIEL DELL, one of the original "Dead End" kids, joins Monogram's "East Side Kids" gang in the series being produced by SAM KATZMAN.

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LIEUT. COMMANDER FRANK WEAD, U.S.N. retired, a film writer specializing on service aviation type pictures, has been called back to active duty with the Navy. He leaves Jan. 15, expecting to complete the script of RKO's "Bombardier" . . . Republic has purchased "War of the Wildcats," story by THOMSON BURTIS of the oil fields in the 1900's. . . . WILLIAM HAWKS, RKO producer, has signed HOWARD HAWKS, his director-brother, to guide "Cheyenne," marking the first time that the pair has worked together on a film.

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Paramount has given Phil Terry and Macdonald Carey, actors, and Muriel Roy Bolton, writer, new term deals. . . . Bradbury Foote is doing the script of "What the Gods Provide" at M-G-M. . . . 20th Century-Fox has set James Gleason on an exclusive term acting deal. . . . Director Al Green has obtained film rights to "Clown Alley," biographical novel by Len Clark, veteran clown. . . . Billy Bevan, famed comedian, goes into E. H. Griffith's "Out of the Frying Pan" at Paramount.

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MAX GORDON has reported at Columbia as producer on the film version of "My Sister Eileen." . . . JOHN LITEL has been set in M-G-M's "Along Came Murder." . . . JEAN HERSHOLT now may finally call himself "Dr." He was given a Doctor of Letters degree by the De Landas University, Santa Ana, Calif., in recognition of his forthcoming compilation of Hans Christian Andersen's works. . . . JACK HIVELY, formerly a director at RKO, is at Paramount to guide "Washington Escapade." RKO producer J. R. McDONOUGH is seeking GEORGE MURPHY'S original "The Chicago Method," a plot based on the activities of the British Commando forces, which raid the German-held Channel coast.

Legion Approves 7 Of Nine New Pictures

The National Legion of Decency for the current week has approved seven of nine new films, four for general patronage, and three for adults, while one was classed as objectionable in part and one was condemned. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—Lone Riders and the Bandit," "Riders of the Bad Lands," "West of Cimarron," "You're in the Army Now." Class A-2, Unobjectionable for Adults—"All Through the Night," "Hellzapoppin'," "Playmates." Class B, Objectionable in Part—"Bahama Passage." Class C, Condemned—"City of Sin."

Managers to Be Own Conn. Raid Wardens

NEW HAVEN, Dec. 30.—Connecticut theatre managers will be air raid wardens at their own theatres, it has been decided, instead of the original suggestion of the State Police Department that each theatre employ a fireman or policeman as air raid warden. Managers and assistants will be required to attend a 20-hour course under Civilian Defense Committee supervision.

Release 'Beast of Berlin'

Producers Releasing Corp. is releasing "Hitler—Beast of Berlin" in New York State. The film had been released elsewhere under the title, "Goose Step."

41 New Films Now Shooting; 78 Being Cut

HOLLYWOOD, Dec. 30.—Forty-one pictures were before the cameras this week, as 13 finished and five started. Nineteen are being prepared, and 78 are being edited.

The tabulation by studios follows:

Columbia
Finished: "Prairie Gunsmoke," "Canal Zone."
In Work: "Camp Nuts," "Blondie's Blessed Event," "Trinidad."

Korda (U.A.)
In Work: "To Be or Not To Be."

M-G-M
Finished: "I Married an Angel."
In Work: "Tarzan Against the World," "Along Came . . . Murder," "The Courtship of Andy Hardy," "Tortilla Flat," "This Time for Keeps," "Ship Ahoy," "Rito Rita," "Mrs. Miniver,"
Started: "Mokey Delano," "Fingers at the Window."

Monogram
Finished: "Below the Border," "Law of the Jungle," "Western Mail."

Producers Releasing
Finished: "Girls Town," "Billy the Kid Trapped."

Paramount
Finished: "This Gun for Hire."
In Work: "Palm Beach Story," "Take a Letter, Darling," "Holiday Inn," "Mr. and Mrs. Cugat," "My Favorite Blonde," "American Empire," "Out of the Frying Pan."

RKO
Finished: "Powder Town."
In Work: "My Favorite Spy," "The Tuttles of Tahiti," "The Magnificent Ambersons."

Republic
In Work: "Sleepytime Gal," "South of Santa Fe."
Started: "Yokel Boy."

20th Century-Fox
In Work: "This Above All," "Rings on Her Fingers," "Moontide," "Tales of Manhattan," "To the Shores of Tripoli," "The Night Before the Divorce."
Started: "My Gal Sal," "Ten Gentlemen from West Point."

Universal
Finished: "Drums of the Congo," "Mystery of Marie Roget."
In Work: "The Ghost of Frankenstein," "Saboteur."

Warners
Finished: "Larceny, Inc."
In Work: "Yankee Doodle Dandy," "In This Our Life."

Service Men Free At Cincinnati House

CINCINNATI, Dec. 30.—The 1,200-seat Strand, downtown subsequent run, which, on reopening recently under management of 531 Walnut Corp., subsidiary of Associated Theatres, Detroit, established a policy of remaining open until 3 A.M. for the benefit of defense workers, now is admitting free all soldiers and sailors in uniform. This is the first house in this area to have established either policy.

Loew's Year Net Profit Up to $11,134,593

(Continued from page 1)

ended last Aug. 31 totaled $128,409,879, compared with $137,590,120 for the previous year. For the more recent period, theatre receipts, rentals and sales of films and accessories totaled $124,213,557; rent income amounted to $2,431,834, and miscellaneous was put at $1,764,488

Operating and general expenses amounted to $30,983,916. The net income before taxes totaled $15,301,188. Federal taxes were placed at $3,747,298, leaving net income of $11,553,890. Minority interests' share came to $419,297, leaving Loew's, Inc., share of net income at $11,134,593.

Surplus, Assets Shown

The consolidated earned surplus account showed a balance at Sept. 1, 1940, of $58,715,616, and a balance at Sept. 1, 1941, of $59,017,813. The consolidated balance sheet showed current assets at Aug. 31, last, of $77,563,845, and total assets of $164,153,031.

The statement points out that the balance sheet shows $8,233,603 in foreign countries, other than Continental Europe and the Far East, chiefly in England, subject to export restrictions. Thus far, $2,440,000 has been received to Dec. 26, last, and an additional $2,336,000 is due by arrangement with the British Government within four months. Net assets in all foreign countries other than Continental Europe and the Far East amount to $18,910,633.

Common Stock Options

Of the 4,000,000 authorized common shares, 48,492 are reserved for options to an officer in connection with a personal service contract, the statement says, exercisable at $40 per share. The redemption on next Feb. 16 of all 3½ per cent sinking fund debentures, and all preferred stock at $105 plus dividends, on Feb. 15, is noted in the statement. There has been created a funded debt of $13,000,000 three per cent sinking fund debentures maturing Dec. 15, 1956, and $5,000,000 2¼ per cent promissory notes maturing Dec. 15, 1946.

Free Talent Plan Is Approved by AMPP

HOLLYWOOD, Dec. 30. — The newly organized Hollywood Coordinating Committee for Stage, Screen and Radio, official clearing house for all free talent requests, has been approved by the Association of Motion Picture Producers, following a directors' meeting last night at which Hollywood's cooperation with the Government was discussed.

Ralph Block, chairman of the Screen Writers Guild War Emergency Committee, left today for Washington to coordinate the efforts of the screen writers with Federal agencies and obtain necessary information.

Universal Signs Cline

HOLLYWOOD, Dec. 30.—Universal announced today it had signed Eddie Cline to a director contract. He will make "Wake Up and Dream."

N.Y. Critics Vote 'Kane' Best Production of 1941

(Continued from page 1)

for his megaphoning of "How Green Was My Valley," runner-up picture to the winner.

Wellcs will receive a bronze plaque at a private dinner which the film reviewers will give on Jan. 10 at Leone's Restaurant. The cocktail party heretofore held on such occasions will be dispensed with because of the war, it was officially stated. Arrangements are now being made, however, to broadcast the presentation of the awards.

No Foreign Film Award

No award was made for the best foreign film nor was any "special recognition award" made.

"Citizen Kane" won on the sixth ballot, 10 out of 18 votes being cast for the picture, after the two-thirds rule was dropped automatically following the fifth ballot. The voting took place Monday afternoon in the private dining room of the *New York Times*.

Cooper won on the first ballot. Miss Fontaine won two-thirds majority on the fifth ballot.

Although "Two Faced Woman," the new M-G-M-Greta Garbo picture, opens only today on Broadway, it was revealed nevertheless that Miss Garbo was among those who received votes for the "outstanding actress award" on the fifth ballot.

Eighteen Critics Vote

Sixteen reviewers from metropolitan New York daily papers participated in the voting in person while two were represented by proxies. The 16 included Cecelia Ager, *PM;* Howard Barnes, *Herald Tribune;* William Boehnel, *World Telegram;* Kate Cameron, *Daily News;* Herbert Cohn, *Brooklyn Eagle;* Bosley Crowther, *Times;* Wanda Hale, *Daily News;* Louise Levitas, *PM;* Dorothy Masters, *Daily News;* Leo Mishkin, *Morning Telegraph;* Rose Pelswick, *Journal-American;* David Platt, *Daily Worker;* Edgar Price, *Brooklyn Citizen;* Thomas M. Pryor, *Times;* Theodore Strauss, *Times,* and Irene Thirer, *Post.* Robert W. Dana of the *Herald Tribune,* and Archer Winsten of the *Post* voted by proxy. Mishkin is president and Cohn secretary.

Columbus Theatre Wins Two Appeals

Fred Rowlands, Columbus, O., exhibitor, won two arbitration appeals, each involving a seven-day reduction of clearance for his third-run Parsons and Main theatres, in decisions by the national appeals board made public here yesterday, which reversed dismissals by arbitrators who heard the cases originally.

Both of Rowlands' complaints named all five consenting distributors and competing houses operated by J. Real Neth Theatres Co. Both the Parsons and the Main had 52 days availability after Columbus first-runs, while Neth's competing Markham and Eastern had 30 days' availability after first-run. Rowlands' complaints were dismissed by arbitrators who found the clearance involved to be reasonable.

Adjust Schedule

In reversing the arbitrators, the appeals board emphasized that third-runs in Columbus which were not in competition with Neth houses were given an availability of 45 days after first-runs and, accordingly, held that the same availability should apply to theatres which were in competition with Neth. The awards reduced the availability of the two Rowlands houses from 52 to 45 days after first-runs.

New Clerk Is Named At Cincinnati Board

Lorenz Lemper has resigned as clerk of the Cincinnati arbitration tribunal and J. Vincent Aug, formerly with the City Solicitor's Office, Cincinnati, has been named to succeed him, American Arbitration Association headquarters here revealed in an announcement yesterday.

Stamps as Change In Great Demand

CHICAGO, Dec. 30.—Over $500 in defense stamps has been given in change to patrons of the Indiana-Illinois Theatre circuit in the past 10 days, according to Jack Rose, executive of the company, and the plan is going over big.

"When we started," he said, "we gave each theatre a $15 fund of stamps figuring there would be small response, but since putting the idea into operation we find it hard to keep up with the demand and have run short of stamps on several occasions." All the circuit's 15 houses run a trailer telling the patrons to "Remember Pearl Harbor" and to accept the stamps in change.

Give Defense Stamps

The Casino Theatre in the Yorkville section is distributing defense saving stamp books with the first 10-cent stamp included, gratis to patrons.

Studies Plan to Dub Korda Films for S.A.

The advisability of dubbing Alexander Korda's productions in Spanish and Portuguese for the Latin American market will be studied by Steve Pallos, Eastern representative for the United Artists producer, during a six-week visit to the principal Latin American countries.

Pallos sailed for Rio de Janeiro last night. He will also make arrangements for South American openings of Korda's new production, "Jungle Book," while on the trip.

Abandons Theatre Plan

YORK, PA., Dec. 30.—Charles R. MacDonald, operator of the Southern, announced abandonment of plans to construct a second theatre at suburban North York, because of inability to procure materials.

Bioff, Browne Sued by Para. For $100,000

(Continued from page 1)

and Warners. While no exact accounting of the total sums paid the union officials was developed at the trial, Bioff testified that it might have been as high as $2,000,000.

An aftermath of the trial was the filing of numerous stockholders' actions against the four companies for accountings of the sums paid Bioff and Browne.

Metro Will Resume Forums Next Month

(Continued from page 1)

the Coronado Hotel, St. Louis, Jan. 15. The company's first forum was in Columbus late in November.

H. M. Richey, assistant to William F. Rodgers, Loew's vice-president and general sales manager, will conduct both forums. Speakers at the forums will include Joseph X. Gooris, Western manager of the bureau of advertising, American Newspaper Publishers Association; Besa Short, head of Interstate Circuit's short subjects department; William R. Ferguson, M-G-M exploitation manager; Edward Salzberg, Bluefield, W. Va., exhibitor, and M. L. Simons of the Loew's home office.

Leaders to Attend

R. X. Williams, president of Tri-States MPTO, and M. A. Lightman, president of Malco Theatres, will sponsor the Memphis forum. Fred Wehrenberg, president of the MPTO of Eastern Missouri and Southern Illinois, will sponsor the St. Louis session. John E. Flynn, M-G-M Central division manager; Harris Wolfberg, district manager; John X. Quinn, St. Louis branch manager, and Irving Waterstreet, M-G-M local exploitation representative, will attend the St. Louis forum.

Burtus Bishop, Jr., district manager; J. Frank Willingham, branch manager at Memphis, and Todd Ferguson, exploitation representative, will be at the Memphis forum.

Pressburger Goes To Coast on Friday

Arnold Pressburger will leave for the Coast on Friday to prepare his next film for United Artists release.

Pressburger said yesterday that his next picture will be selected from several properties. One of these is a French musical which he intends to produce in the near future and another is an original story of the experiences of an American Jew in the present war.

Baltimore House Opening

BALTIMORE, Dec. 30.—The Roslyn, Baltimore's newest downtown, first run theatre, will open Jan. 16. It will be operated under the direction of Louis Schector and Leon Zalis, who also have the Times and Roxy here.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 50. NO. 127 NEW YORK, U. S. A., TUESDAY, DECEMBER 30, 1941 TEN CENTS

War Effort to Occupy N.Y. Legislature

Opens Jan. 7; Little Film Legislation Seen

By RICHARD J. CONNERS

ALBANY, Dec. 29.—Prosecution of a successful war effort is the major concern of the 1942 New York State legislature, which convenes Jan. 7 to hear Gov. Herbert Lehman's annual message. The motion picture industry has already indicated its enthusiastic support of measures designed to aid in the national effort at home and the feeling exists that exhibitors particularly will show real interest in legislation

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Clearance Award Affects Thea... In Oakland...

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...n Zell Today

Albany ... Sets 1...

Hellzapoppin' On B'way as Grosses Soar

Record Visitors Influx Jams Show Places

By SAM SHAIN

Extra planes, extra trains, extra ... besides thousands of private ... are bringing thousands ... New York for New ... portation firms

Here's the kind of headlines that will tell your story when you date "HELLZAPOPPIN"!



A Mayfair Production • A UNIVERSAL RELEASE • A Hellzaprofitin' Booking!

'Penny a Plane' Drive on WHOM

WHOM has started a "Penny a Plane" campaign on all its eight foreign language programs. The idea is to have all listeners contribute a penny every time an official communique announces that U. S. forces have shot down an enemy plane. Hershl Levine, the Yiddish commentator, suggested the idea on his program last week and enthusiastic listener response resulted in extension to the other seven language shows.

FDR Birthday Fetes Set for Washington

WASHINGTON, Dec. 30.—After weeks of indecision due to the war, plans were announced today for the regular observance here on Jan. 30 of the President's birthday with the customary Hollywood star-studded parties.

At a meeting of the arrangements committee, headed by District Commissioner J. Russell Young, the green light was finally given for bringing the usual dozen or more screen players here to make guest appearances at hotel balls and downtown theatres. The 1941 parties raised $54,000 for the infantile paralysis fund.

Edward Arnold, president of the Screen Actors Guild, attended the session and accepted an invitation to serve as liaison officer for procurement of the stars. Arnold reached Washington today primarily to consult with Red Cross officials on plans for the forthcoming Red Cross fund campaign in Hollywood. He was accompanied by Jack Beaman, of the Los Angeles chapter, and Edward Blackburn, associate of Jules Brulatour.

Ball Programs Cut Summer Air Slump

Baseball broadcasts have had the effect of reducing the annual Summer slump in radio listening, according to the annual report of the Cooperative Analysis of Broadcasting, issued yesterday. The report covers the period from Oct. 1, 1940, to Sept. 30, 1941, during which nearly three-quarters of a million telephone interviews were made.

It was pointed out that radio's loss in daytime listeners last Summer was less than half the drop found among evening listeners. The daytime decrease, as reported by CAB, was 13.5 per cent as compared with a 29 per cent drop for night audiences. Baseball broadcasts closed the season with an average rating of 13.8 per cent. These broadcasts of both major and minor league games were heard in 30 of the 33 population centers where CAB conducts surveys.

Aid Waste Paper Drive

SCRANTON, PA., Dec. 30.—Bundles of papers, magazines or other salvage are being accepted as admission to eight Comerford theatres in this area. The action was taken as the first in a civilian defense salvage campaign here.

Off the Antenna

LOUIS RUPPEL, CBS director of publicity, will accompany Edward R. Murrow, chief of the network's European staff, on part of the latter's lecture tour through the country. The first stop will be in Boston next week.

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Purely Personal: *Ralph J. Gleason, formerly with "Printers Ink," has been named CBS trade news editor to succeed Robert Gerdy who joined the staff of the Office of the Coordinator of Information. . . . Charles S. Holbrook has joined the NBC-Blue sales staff. . . . Red Barber has been selected by the National League as commentator for "Safe At Home," the League's annual film, and Bob Elson has been selected by the American League for "The Ninth Inning." . . . Edith Dick has been named assistant general manager of WWRL. Dudley Connolly has been made program director; Walter Kaner, director of publicity and promotion, and Fred Barr, night studio manager. . . . Raymond Gram Swing, Mutual commentator, will move to Washington Jan. 12. . . . Florence Smith has joined the WFIL sales staff.*

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With the days growing longer, daytime stations which are required to go off the air at sundown will gradually start to increase their time. An extra half-hour will be added to the daily schedules of such stations on Jan. 1, with further increases until July.

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Frank N. Stanton, CBS director of research, and Paul F. Lazarfeld, director of the office of radio research of Columbia University, have just published a new book, "Radio Research 1941." It is planned as the first of a series of yearbooks on radio research with Stanton and Lazarfeld as permanent editors. Subjects covered in the first issue are "Foreign Language Broadcasts over Local American Stations," "The Popular Music Industry," "The Radio Symphony," "Invitation to Music," "Radio and the Press Among Young People" and "Radio Comes to the Farmer."

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Program News: *Cities Service, the oldest network sponsor in radio, has renewed its concert series over NBC-Red for an additional year, effective Jan. 30. . . . Weather reports have been cancelled on WHN's "Let's Go Skiing" program but disclosure of the snowfall at the various resorts is still permitted. . . . "Saturday Night Serenade" will be heard over WABC beginning Jan. 17 when Pet Milk enlarges the CBS network for the show to 57 stations. . . . Phillips Chemical has renewed "Waltz Time" over 61 NBC-Red stations. . . . Feigenspan Brewing will sponsor Red Barber over WOR in a five-times-weekly sports review 9:15-9:30 P.M. beginning April 9. His present thrice-weekly contract for the same sponsor expires Jan. 6. . . . Pabst Beer will sponsor the Chicago Bears-Pro All Stars football game from the Polo Grounds this Sunday. . . . WOR has sold "Go Get It" to Krueger Brewing Co. which will start sponsorship Wednesday, Feb. 4. . . . J. B. Williams Co. has renewed "True or False" over 63 NBC-Blue stations for an additional 13 weeks.*

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CBS television will present a "Visual Review of the Year," 8:15-9:30 P.M. tomorrow. Included will be excerpts from the film, "Citizen Kane," produced by Orson Welles for RKO and winner of this year's New York Film Critics' award. Other features will be a fashion review by Saks Fifth Avenue; a television adaptation of William Saroyan's "The People With Light Coming Out of Them"; a demonstration of the "blood bank" technique; the year's three most popular songs, sung by Joan Edwards; objects of art loaned by the Metropolitan Museum of Art; a sports resume by Bob Edge; war news interpretations by Robert A. Smith of the "New York Times" foreign news department, and late war news bulletins.

Coast ITO Seeks Duals Elimination

(*Continued from page 1*)

lieve single bills are a possible business stimulant under these conditions.

Meanwhile, the organization today issued a statement to the effect that it had been unsuccessful in attempts to obtain a general modification or reduction of rental terms from major distributors since the war began.

Most companies answering telegrams, the statement indicated, replied that they would be "glad to endeavor to solve each exhibitors' problem individually, but that they would not consider granting general modification or reduction to meet the present emergency."

The ITO statement declared that the consent decree "has very substantially increased rental prices" without a remedy to exhibitors.

Capital Grosses Off Slightly in Blackout

(*Continued from page 1*)

theatres in the District of Columbia, marquee and lobby illumination was completely shut off and each staff member of every theatre fulfilled duties assigned with respect to crowd handling, preventing patrons from leaving during the period and keeping the performance moving smoothly.

Those who cooperated in facilitating the blackout drill were Roland Robbins, Trans-Lux; Sidney Lust, Lust Theatres; Gene Ford, Loew's; Hardie Meakin, RKO Keith's; Louis Bernheimer, Bernheimer Theatres; Abe Lichtman, Lichtman Theatres; L. Wimen; Edmund Plohn, National Theatre; B. Ferber, Gayety Theatre; E. N. Reed, Harry Lohmeyer and Harry Anger, Warner Theatres; Harry S. Brown, Republic Pictures; Dan Peck, electricians; Tom Read, projectionists; and C. T. Trundle, stagehands.

Short Subject Review

"Cavalcade of Aviation"

(*Universal*)

The idea of a cavalcade of aviation, with its timeliness and wide appeal, is an excellent one, and as developed in this short subject by Thomas Meade and Joseph O'Brien, the producers, is a fine subject. Although some of the scenes depicting the highlights in the history of aviation have been seen before—such as Lindbergh's takeoff for Paris, the burning of the *Hindenburg* at Lakehurst, and the like—their presentation with continuity and in chronological order takes on new interest.

The chronicle begins with the Wright Brothers at Kitty Hawk, N. C., and Byrd, Chamberlain, Earhart, Elder and others important in the development of aviation are shown along with shots of outstanding events, leading up to the importance of air power in the present war. There is, too, some amusing footage on experiments in aviation by radical inventors. Running time, 19 minutes. Release, Dec. 31, 1941.

16mm Showing Held Copyright Violation

(*Continued from page 1*)

in residences or such places where there is no admission charge but such films may not be shown in public theatres, auditoriums or any other places of assembly where there is either direct or indirect profit."

Herbert Silverberg, attorney for Festival, said several other actions are pending over the Festival-owned Chaplin films and added that, under the court's ruling, various jack-rabbit shows in the Midwest may be stopped from using other films. The ruling also applies to church charity shows, according to Silverberg. Kohn had been operating the Movie Parade with revivals of important silent films for several years. Festival charged in its action that its contemplated revival of Chaplin shorts had been damaged by Kohn's exhibition. Chaplin films involved in the action were "The Adventurer," "The Vagabond," "The Fireman," "Behind the Screen," "Easy Street" and "The Immigrant."

Mutual Intervenes In FCC-Web Action

The Federal statutory court which will hear the suits of CBS and NBC against the FCC to restrain the commission from enforcing the new network regulations yesterday granted the petition of Mutual for permission to intervene in the suit. Mutual will be added as a defendant. The hearing on the injunction will take place Jan. 12.

Dismiss Plagiarism Suit

Federal Judge John C. Knox has dismissed the plagiarism action of Beatrice M. Gottlieb and Bertrand Robinson against Warners for failure to prosecute. Suit claimed infringement of an original story, "It's Your Fault," in the Warner film, "Racket Busters."

HAILED ALIKE

by The New York Times.

and MOTION PICTURE DAILY

AS THE GREATEST GROSSER EVER!

The Roxy's tenant, "Remember the Day," broke all records for that theatre since its opening in 1927 when 89,749 persons paid a total of $58,858 during the four days ending Sunday night. The mark topped the previous record holder, "Alexander's Ragtime Band," by $4,748.

And—the mightiest grosser for this week is "Remember the Day," which with the usual Roxy Theatre's stage show, is running full speed into a new house record of about $100,000, since this theatre embarked on its present presentation policy. The picture will shatter the mark set by "Alexander's Ragtime Band".

Remember the Day

20th CENTURY FOX

MOTION PICTURE DAILY

DECEMBER 30, 1941

'Gesture' Is Strong

Among this week's Broadway champions is "The Shanghai Gesture," which is doing as great a business at the Astor Theatre as any film which has played there. Just capacity — that's all! It's been S. R. O. since opening.

THE NEW YORK TIMES

DECEMBER 30, 1941

At the Astor, "The Shanghai Gesture" played to 31,612 persons during the four-day week-end. Business during the first four and a half days was in excess of $17,000 and an estimate made yesterday indicated that the film would gross from $25,000 to $27,000 for its first week, which would constitute an all-time money record for the theatre.

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